

THURSDAY, APRIL 17, 2014

SIXTY-SEVENTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Representative Faison.

Representative Faison led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 89

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Matlock; business

Representative Watson

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 310 Rep(s). Pody and Casada as prime sponsor(s).

House Joint Resolution No. 1184 Rep(s). Holt as prime sponsor(s).

House Bill No. 1981 Rep(s). Hardaway, Tidwell, J. DeBerry, Doss, Miller, Favors, Jernigan, Faison, Akbari, Towns, Shaw, Jones, Camper, Pody and Dean as prime sponsor(s).

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House Bill No. 2076 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2270 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2342 Rep(s). Odom, Gilmore, Shepard and M. Turner as prime sponsor(s).

House Bill No. 2374 Rep(s). Moody as prime sponsor(s).

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 848; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 848 -- Memorials, Recognition - Commemorates the Month of the Military Child. by *Gresham.

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1602; The Senate nonconcurred in House Amendment No(s). 1, 2, and 3

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2054; The Senate nonconcurred in House Amendment No(s). 1

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1760; The Senate refused to recede from its action in nonconcurring in House Amendment(s) No.1; The Speaker appointed a Conference Committee composed of Senators: Ketron, Gresham, and Tate to confer with a like committee from the House in open conference to resolve the differences between the bodies on Senate Bill No. 1760

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 17, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2243; The Senate refused to recede from its action in nonconcurring in House Amendment(s) No.1; The Speaker appointed a Conference Committee composed of Senators: Tracy, Niceley, and Burks to confer with a like committee from the House in open conference to resolve the differences between the bodies on Senate Bill No. 2243

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

April 17, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1403;

GREG GLASS, Interim Chief Engrossing Clerk

PERSONAL ORDERS

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Ragan

RECOGNITION IN THE WELL

Representative J. Turner was recognized in the Well for remarks.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar No. 2 for April 17, 2014:

House Resolution No. 304 -- Memorials, Academic Achievement - Kiara Chambers, Valedictorian, Memphis Academy of Health Sciences. by *Hardaway.

House Resolution No. 305 -- Memorials, Academic Achievement - Rayven Burns, Valedictorian, Douglass High School. by *Hardaway.

House Resolution No. 306 -- Memorials, Academic Achievement - Rekhel Burke, Salutatorian, Douglass High School. by *Hardaway.

House Resolution No. 307 -- Memorials, Academic Achievement - Robbie Williams, Salutatorian, Memphis Academy of Health Sciences. by *Hardaway.

House Joint Resolution No. 1193 -- Memorials, Congratulations - Harry Eden Bryan and Jean Young Bryan, 50th anniversary. by *McDaniel.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar No. 2 for April 17, 2014:

Senate Joint Resolution No. 848 -- Memorials, Recognition - Commemorates the Month of the Military Child. by *Gresham.

CONSENT CALENDAR

House Resolution No. 295 -- Memorials, Interns - Lovin Middleton. by *Matheny.

House Resolution No. 296 -- Memorials, Interns - Anna Wilkins. by *Hill M, *VanHuss, *Hill T.

House Resolution No. 297 -- Memorials, Interns - Brooks Brasfield. by *Hill M, *VanHuss, *Hill T.

House Resolution No. 298 -- Memorials, Academic Achievement - Kendrick Wilson, Valedictorian, Southwind High School. by *Turner J.

House Resolution No. 299 -- Memorials, Academic Achievement - Gabrielle Brown, Salutatorian, Westwood High School. by *Turner J.

House Resolution No. 300 -- Memorials, Academic Achievement - Destiny Reid, Salutatorian, Southwind High School. by *Turner J.

House Resolution No. 301 -- Memorials, Academic Achievement - Takia Abram, Valedictorian, Westwood High School. by *Turner J.

House Resolution No. 302 -- Memorials, Academic Achievement - Brendan Loggins, Salutatorian, G.W. Carver High School. by *Cooper.

House Resolution No. 303 -- Memorials, Academic Achievement - Marqueshia Allen, Valedictorian, G.W. Carver High School. by *Cooper.

House Joint Resolution No. 1179 -- Memorials, Recognition - Representative Karen Camper, Women of Excellence. by *Miller, *Pitts.

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House Joint Resolution No. 1180 -- Memorials, Academic Achievement - Victoria Paige Christian, Valedictorian, Clinch School. by *Harrison.

House Joint Resolution No. 1181 -- Memorials, Death - Joe C. Davis. by *Harrison.

House Joint Resolution No. 1182 -- Memorials, Death - John Marion Gray, Jr. by *Harrison.

House Joint Resolution No. 1183 -- Memorials, Academic Achievement - Jeremy Baldwin Powers, Salutatorian, Clinch School. by *Harrison.

House Joint Resolution No. 1184 -- Memorials, Sports - Union City High School girls' basketball, State Champions. by *Sanderson.

House Joint Resolution No. 1185 -- Memorials, Interns - Oskar Recio. by *Parkinson, *Hardaway.

House Joint Resolution No. 1186 -- Memorials, Congratulations - Harry Eden Bryan and Jean Young Bryan, 50th anniversary. by *McDaniel.

House Joint Resolution No. 1187 -- Memorials, Retirement - Dan Walker. by *Hawk, *Faison.

House Joint Resolution No. 1188 -- Memorials, Retirement - Judge John K. Wilson. by *Hawk, *Faison.

House Joint Resolution No. 1189 -- Memorials, Academic Achievement - Mar'Shea Tachelle Lewis, Salutatorian, Oakhaven High School. by *Towns, *Camper.

House Joint Resolution No. 1190 -- Memorials, Academic Achievement - Breona White, Valedictorian, Oakhaven High School. by *Towns, *Camper.

House Joint Resolution No. 1191 -- Memorials, Recognition - The Promise Ball. by *Camper, *Armstrong.

Senate Joint Resolution No. 829 -- Memorials, Interns - Annabell McWherter. by *Hensley, *Bell.

Senate Joint Resolution No. 830 -- Memorials, Interns - Roy L. West, III. by *Yager.

OBJECTION--CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 1186: by Rep. McDaniel

Under the rules and House Joint Resolution(s) No(s). 1186 were placed at the heel of the calendar for April 18, 2014.

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Rep. Miller moved that all members voting aye on House Joint Resolution No. 1179 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Camper moved that all members voting aye on House Joint Resolution No. 1191 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2374 -- Weapons - As introduced, specifies that all collateral criminal charges involving possession, storage, use or transportation of a firearm be dismissed if there is a determination that a person's use of force was justifiable self-defense, that the charges be expunged and that all administrative hearings resulting from the same use of force be concluded and decided in the person's favor. - Amends TCA Section 39-17-1322. by *Bailey, *Ragan, *Faison, *Todd. (*SB1704 by *Niceley)

Further consideration of House Bill No. 2374 previously considered on April 9, 2014 and April 14, 2014, at which time it was reset for today's Calendar.

BILL HELD ON DESK

Rep. Bailey moved that House Bill No. 2374 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2076** -- Education - As introduced, requires the state board of education to report on the use of the scholarship fund for deaf students graduating from the Tennessee school for the deaf and the amount of moneys in the fund and expended for scholarships by November 1, 2014, with an update of the report by November 1 every year thereafter. - Amends TCA Title 49. by *White M, *Forgety, *Camper, *Carter, *Fitzhugh, *Brooks H, *Parkinson. (SB2355 by *Gresham, *Kelsey)

Further consideration of House Bill No. 2076 previously considered on April 16, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 2076 was made to conform with **Senate Bill No. 2355**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 2355 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that Education Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 2355** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Rep. McDaniel was recognized in the Well to introduce Senator Douglas Henry. Senator Henry was recognized in the Well to lead the pledge to the Flag of the State of Tennessee.

CLERK'S NOTE TO THE JOURNAL

Without objection, the Speaker announced Rep. Tidwell would replace Rep. Parkinson as a member of the House Conference Committee for **House Bill No. 1574**.

RULES SUSPENDED

Rep. K. Brooks moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 1194 out of order, which motion prevailed.

House Joint Resolution No. 1194 -- Memorials, Recognition - Dr. Gary L. Riggins. by *Brooks K.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. K. Brooks the resolution was adopted.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 1558 -- Education - As introduced, removes requirement that the BEP review committee consider whether to include English as second language teachers in the BEP funding formula, because the review committee has recommended that such teachers be included in the formula and the senate and house of representatives have approved the inclusion. - Amends TCA Title 49. by *Ragan, *Swann, *Powers. (*SB1453 by *McNally)

Further consideration of House Bill No. 1558 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

Rep. McCormick requested that Senate Bill No. 1453 be moved to the end of the Calendar, which motion prevailed.

House Bill No. 1687 -- Criminal Offenses - As introduced, prohibits certain union and employee organization activities; revises certain criminal provisions to include certain disruptive and illegal conduct involving unions and employee organizations. - Amends TCA Title 39, Chapter 14; Title 39, Chapter 16 and Title 39, Chapter 17. by *Durham, *Sparks. (*SB1662 by *Kelsey)

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On motion, House Bill No. 1687 was made to conform with **Senate Bill No. 1662**; the Senate Bill was substituted for the House Bill.

Rep. Durham moved that Senate Bill No. 1662 be passed on third and final consideration.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Faison moved that Criminal Justice Committee Amendment No. 1, as House Amendment No. 3, be withdrawn, which motion prevailed.

Rep. Stewart moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. M. Turner moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 1662 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Title 39, Chapter 17, Part 3, is amended by adding the following language as a new section:

39-17-313.

(a) A person commits an offense who conditions incentives, substantially obstructs or interferes with the meeting, procession, or gathering by a labor union or employee organization of any kind for the purpose of disrupting the outcome of a legal union election, pursuant to the National Labor Relations Act, compiled in 29 U.S.C. § 151 et seq., and the Labor Management Relations Act, compiled in 29 U.S.C. § 141 et seq.

(b) A violation of this section is a Class A misdemeanor.

Rep. Dennis moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes	53
Noes.....	31

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Carr D, Carr J, Casada, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McDaniel, McManus, Moody, Pody, Rich, Rogers, Shipley, Spivey, Swann, Travis, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 53

Representatives voting no were: Akbari, Armstrong, Calfee, Camper, Coley, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Stewart, Tidwell, Todd, Towns, Turner J, Turner M, Williams K, Windle -- 31

Rep. Stewart moved adoption of Amendment No. 6 as follows:

Amendment No. 6

AMEND Senate Bill No. 1662 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 39-17-435, is amended by adding the following as a new subsection:

() Notwithstanding § 40-35-501, there shall be no release eligibility for a person committing a violation of this section, on or after July 1, 2014, until the person has served ninety percent (90%) of the sentence imposed by the court less sentence credits earned and retained. However, no sentence reduction credits authorized by § 41-21-236, or any other provision of law, shall operate to reduce below eighty percent (80%) the percentage of sentence imposed by the court such person must serve before becoming release eligible.

Rep. Dennis moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes	59
Noes.....	29

Representatives voting aye were: Bailey, Brooks K, Butt, Calfee, Carr D, Carr J, Casada, Coley, Dean, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, Moody, Pody, Powers, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Madam Speaker Harwell -- 59

Representatives voting no were: Akbari, Alexander, Armstrong, Camper, Cooper, DeBerry J, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K, Windle -- 29

Rep. M. Turner moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND Senate Bill No. 1662 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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SECTION _____. Tennessee Code Annotated, Section 39-17-1351, is amended by adding the following as a new subsection:

(x) Any public official or employee, acting outside the scope of the person's official duties, who interferes with the issuance of a permit authorized under this section and to which the applicant is entitled commits a Class E felony.

Rep. Durham moved that Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes 59
Noes..... 28

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Durham, Eldridge, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Moody, Pody, Powers, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Spivey, Swann, Travis, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick -- 59

Representatives voting no were: Akbari, Camper, Cooper, DeBerry J, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Tidwell, Todd, Towns, Turner J, Turner M, Williams K, Windle -- 28

Rep. Stewart moved that the House consider Amendment no. 8 to **Senate Bill No. 1662**, which motion failed by the following vote:

Ayes 28
Noes..... 60

Representatives voting aye were: Akbari, Alexander, Armstrong, Camper, Cooper, Dean, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner J, Turner M, Weaver, Windle, Wirgau, Womick -- 28

Representatives voting no were: Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, Moody, Pody, Powers, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Spivey, Swann, Todd, Travis, Van Huss, White D, Williams K, Williams R, Madam Speaker Harwell -- 60

Rep. Casada moved the previous question, which motion prevailed by the following vote:

Ayes 60
Noes..... 28

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Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Moody, Pody, Powers, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Spivey, Swann, Todd, Travis, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 60

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Dean, DeBerry J, Favors, Fitzhugh, Gilmore, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Rogers, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Van Huss, Windle -- 28

Rep. Durham moved that **Senate Bill No. 1662** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	59
Noes.....	27
Present and not voting.....	3

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Carr D, Carr J, Carter, Casada, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Moody, Powers, Rich, Roach, Rogers, Sargent, Sexton, Shepard, Shipley, Spivey, Travis, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 59

Representatives voting no were: Armstrong, Calfee, Camper, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Shaw, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K, Windle -- 27

Representatives present and not voting were: Akbari, Coley, Dean -- 3

A motion to reconsider was tabled.

House Bill No. 2270 -- Criminal Offenses - As introduced, adds new money laundering offenses for using property to obtain, purchase, display, sell, conceal, comingle, or transport criminal proceeds or commit TennCare fraud; provides for forfeiture of assets and proceeds used in such violations. - Amends TCA Title 39, Chapter 14, Part 9. by *Akbari, *Favors, *Shaw, *Miller, *Cooper, *Camper, *Turner J, *Dunn, *Hardaway. (*SB1929 by *Finney)

On motion, House Bill No. 2270 was made to conform with **Senate Bill No. 1929**; the Senate Bill was substituted for the House Bill.

Rep. Akbari moved that Senate Bill No. 1929 be passed on third and final consideration.

Rep. Akbari moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Akbari moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1929 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-903, is amended by adding the following as new subsections:

(d)

(1) It is an offense for a business or other enterprise to knowingly use property, assets, funds, or accounts with intent to obtain, purchase, display, sell, conceal, commingle, or transport criminal proceeds. It is an offense for a business or other enterprise to knowingly use property, assets, funds, or accounts with intent to commit or facilitate any violation of title 71, chapter 5, part 25.

(2) A violation of subdivision (d)(1) is Class E felony punishable only by a fine of five thousand dollars (\$5,000) and the forfeiture of assets as herein provided.

(e)

(1) It is an offense for a business or other enterprise to knowingly use on five (5) or more separate occasions property, assets, funds, or accounts with intent to obtain, purchase, display, sell, conceal, commingle, or transport criminal proceeds. It is an offense for an individual or business to knowingly use on five (5) or more separate occasions property, assets, funds, or accounts with intent to commit or facilitate any violation of title 71, chapter 5, part 25.

(2) A violation of subdivision (e)(1) is a Class B felony.

(f) All records of a business or enterprise that is in violation of subsection (d) or (e) wherever located shall be obtainable by search warrant or judicial subpoena. The remedies made available under chapter 12, part 2 of this title are hereby made remedies for violations of this section.

(g) All assets and proceeds used in violation of or to facilitate a violation of subsections (d) or (e) shall be subject to seizure and forfeiture. Forfeiture proceedings shall be conducted in accordance with chapter 11, part 7 of this title. Any court having criminal jurisdiction to conduct a preliminary hearing or trial of the criminal offense is empowered to order forfeiture as herein provided.

(h) As used in subsections (d) and (e):

(1) “Criminal proceeds” means items made illegal to possess or sell under chapters 14 or 17 of this title or anything of value obtained from a violation of title 71, chapter 5, part 25; and

(2) “Enterprise” means two (2) or more individuals acting in accord, agreement or in conspiracy to violate any criminal statute.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it, and shall apply to acts occurring on or after such date.

On motion, Amendment No. 2 was adopted.

Rep. Akbari moved that **Senate Bill No. 1929**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

***House Bill No. 1981** -- Employees, Employers - As introduced, creates a workplace bullying law that provides legal relief for employees who have been harmed by bullying in the workplace. - Amends TCA Title 50, Chapter 1. by *Parkinson, *Love, *Fitzhugh. (SB2226 by *Kyle)

On motion, House Bill No. 1981 was made to conform with **Senate Bill No. 2226**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 2226 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2226 by deleting all language after the caption and substituting instead the following language:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, is amended by adding the following language as a new part:

50-1-501. This part shall be known and may be cited as the “Healthy Workplace Act”.

50-1-502. As used in this part:

(1) “Abusive conduct” includes acts or omissions that would cause a reasonable person, based on the severity, nature, and frequency of the conduct, to believe that an employee was subject to an abusive work environment, such as:

(A) Repeated verbal abuse in the workplace, including derogatory remarks, insults, and epithets;

(B) Verbal, non-verbal, or physical conduct of a threatening, intimidating, or humiliating nature in the workplace; or

(C) The sabotage or undermining of an employee’s work performance in the workplace; and

(2) “Employer” means any county, metropolitan government, municipality, or other political subdivision of this state.

50-1-503.

(a) By July 1, 2015, the Tennessee advisory commission on intergovernmental relations (TACIR), is directed to create a model policy for employers to prevent abusive

conduct in the workplace. The model policy shall be developed in consultation with interested municipal and county organizations including, but not limited to, the Tennessee Municipal League, the Tennessee County Services Association, the municipal technical advisory service (MTAS), and the county technical assistance service (CTAS).

(b) The model policy shall:

(1) Assist employers in recognizing and responding to abusive conduct in the workplace; and

(2) Prevent retaliation against any employee who has reported abusive conduct in the workplace.

(c) By January 1, 2016, each employer shall adopt a policy to address abusive conduct in the workplace. The policy shall conform to the requirements

of subsection (b). If an employer fails to adopt such a policy, then the model policy created by TACIR pursuant to subsection (a) shall apply to the employer.

50-1-504.

Notwithstanding § 29-20-205, if an employer adopts a policy that prohibits abusive conduct in the workplace, then the employer shall be immune from suit for any employee's abusive conduct that results in negligent or intentional infliction of mental anguish. Nothing in this section shall be construed to limit the personal liability of an employee for any abusive conduct in the workplace.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Matheny moved adoption of Government Operations Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 2226 By adding the following as a new section immediately preceding the effective date section and renumbering the effective date section accordingly:

The Tennessee advisory commission on intergovernmental relations (TACIR) shall appear before the joint government operations subcommittee on judiciary and government no later than August 1, 2014, to present to the subcommittee a draft of TACIR's model policy for employers to prevent abusive conduct in the workplace.

On motion, Government Operations Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Pody moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2226 by adding the following language as a new, appropriately designated subdivision to § 50-1-502 of the bill as amended:

() “Agency” means any department, commission, board, office or other agency of the executive, legislative or judicial branch of state government;

AND FURTHER AMEND by deleting from § 50-1-502 of the bill as amended the language “any county, metropolitan” and by substituting instead the language “any agency, county, metropolitan”.

AND FURTHER AMEND by deleting from § 50-1-503 of the bill as amended the language “in consultation with” and by substituting instead the language “in consultation with the department of human resources and”

On motion, Amendment No. 3 was adopted.

Rep. Parkinson moved that **Senate Bill No. 2226**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 1512 -- Drugs, Prescription - As introduced, makes various changes to regulation of prescription drugs, including prohibiting medical practitioners from dispensing. - Amends TCA Title 29, Chapter 3; Title 39, Chapter 17, Part 4; Title 53 and Title 63. by *Shipley. (*SB1663 by *Kelsey)

On motion, House Bill No. 1512 was made to conform with **Senate Bill No. 1663**; the Senate Bill was substituted for the House Bill.

Rep. Shipley moved that Senate Bill No. 1663 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Shipley moved that **Senate Bill No. 1663** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 1403 -- Comptroller, State - As introduced, requires the comptroller, in consultation with the commissioner of the alcoholic beverages commission, to annually report to the state and local government committee of the senate and the state government committee of the house of representatives, on the distribution of all gross receipt taxes collected from the sale of alcoholic beverages for on-premise consumption. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 49; Title 57 and Title 67. by *McManus, *Haynes, *Faison, *Harrison, *Casada. (*SB1464 by *Norris)

Rep. McManus moved that House Bill No. 1403 be passed on third and final consideration.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1403 by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-306, is amended by deleting the section in its entirety and substituting instead the following language:

57-4-306.

(a) All gross receipt taxes collected under § 57-4-301(c) shall be distributed by the commissioner of revenue as follows:

(1) Fifty percent (50%) to the general fund to be earmarked for education purposes; and

(2) The other fifty percent (50%) to be distributed to local political subdivisions as follows:

(A) Collections for privileges exercised in an incorporated municipality shall be distributed by the commissioner to the city recorder; and

(B) Collections for privileges exercised in an unincorporated area of the county shall be distributed by the commissioner to the county trustee.

(b) From July 1, 2014, until June 30, 2015, the proceeds received by a local political subdivision pursuant to subdivision (a)(2) shall be distributed by the local political subdivision in the following manner:

(1) One-half ($\frac{1}{2}$) of the proceeds shall be distributed as follows:

(A) If the county school system is the only LEA in the county, then, to the county trustee for the county school system from the collection of taxes in the county or any city exercising the privilege authorized under § 57-4-301(c);

(B) If any city exercises the privilege authorized under § 57-4-301(c) and operates a kindergarten through grade twelve (K-12) school system, then the city recorder shall retain the collections for the city school system;

(C) If a city exercises the privilege authorized under § 57-4-301(c) and operates a city school system that is not a kindergarten through grade twelve (K-12) school system, then to the city recorder:

(i) In the amount the percentage that the 2013-2014 average daily attendance (ADA) of the students in the city school system is to the 2013-2014 ADA of public school students residing in the city who attend either the city school system or the county school system with the remaining amount distributed to the county trustee for the county school system, if the city lies entirely in a single county; or

(ii) In the amount the percentage that the 2013-2014 ADA of the students in the city school system is to the 2013-2014 ADA of public school students residing in the city who attend either the city school system or a county school system with the remaining amount divided between the counties based on where the tax was collected and distributed to the county trustees for the county school systems, if the city lies within two (2) or more counties;

(D) Notwithstanding § 49-3-315, if a city exercises the privilege authorized under § 57-4-301(c), but does not operate a city school system, then to the county trustee for the county school system;

(E) If a special school district lies, in whole or in part, within a city that exercises the privilege authorized under § 57-4-301(c), then, to the appropriate official acting for the special school district, in the amount the percentage the ADA of public school students residing in the city and attending the special school district is to the total ADA of city public school students who attend either the special school district or the county school system with any remaining amount distributed to the county trustee for the county school system;

(F) Notwithstanding § 49-3-315, if a county exercises the privilege authorized under § 57-4-301(c) and one (1) or more city school systems operate within the county, then to the county trustee for the county school system any tax revenues collected outside the boundaries of cities exercising the privilege authorized under § 57-4-301(c) that have city school systems; or

(G) If a city that lies in two (2) or more counties exercises the privilege authorized under § 57-4-301(c) but does not operate a city school system, then tax revenues collected in the city shall be divided between the counties based on where the tax was collected and distributed to the county trustees for the county school systems; and

(2) The other one-half ($\frac{1}{2}$) of the proceeds shall be distributed as follows:

(A) Collections of gross receipts collected in unincorporated areas, to the county general fund; and

(B) Collections of gross receipts in incorporated cities and towns, to the city or town wherein such tax is collected.

(3) As used in this subsection (b), "average daily attendance" or "ADA" means:

(A) If the school system was in operation during the 2013-2014 school year, the aggregate days' attendance of the school system during the 2013-2014 school year divided by the number of days school was in session during the 2013-2014 school year; or

(B) If the school system was not in operation during the 2013-2014 school year, then the estimated expected attendance

of the school system for the 2014-2015 school year as reported to the department of education.

(c) After July 1, 2015, the proceeds received in each local political subdivision pursuant to subdivision (a)(2) shall be distributed by the local political subdivision in the following manner:

(1) One half ($\frac{1}{2}$) of the proceeds shall be expended and distributed in the same manner as the county property tax for schools is expended and distributed; any proceeds expended and distributed to municipalities which do not operate their own school systems separate from the county are required to remit one half ($\frac{1}{2}$) of their proceeds of the gross receipts liquor-by-the-drink tax to the county school fund; and

(2) The other one half ($\frac{1}{2}$) of the proceeds shall be distributed as follows:

(A) Collections of gross receipts collected in unincorporated areas, to the county general fund; and

(B) Collections of gross receipts in incorporated cities and towns, to the city or town wherein such tax is collected.

(d) Notwithstanding subdivision (a)(2), the fifty percent (50%) of the gross receipt taxes allocated to local political subdivisions by subdivision (a)(2) and collected in a municipality which is a premier tourist resort shall be distributed to and expended by such municipality for schools in such municipality.

(e) By August 1, 2014, every city or county that exercises the privilege authorized under § 57-4-301(c) shall provide written notice to each school system operating within its jurisdiction. This notice shall contain a statement that the local political subdivision exercises the privilege authorized under § 57-4-301(c), a statement that students within the jurisdiction attend a school or schools operated by the school system, a statement that the school system is authorized to receive a portion of the revenues collected, and a reference to this part. A city or county that, subsequent to July 1, 2014, elects to exercise the privilege authorized under § 57-4-301(c), shall comply with the notice provisions of this subsection (e) within thirty (30) days of the effective date of the referendum.

(f) If the local political subdivision fails to remit the proceeds to the appropriate school fund, system, or systems as required under subsections (b) or (c) as applicable within sixty (60) days of receipt from the commissioner, then the aggrieved local school board shall notify the comptroller of the treasury who shall deliver by certified mail a written notice of such failure to the local political subdivision within five (5) business days of notice of the failure.

(g) In the event the local political subdivision fails to remit the proceeds within thirty (30) days of the receipt of such notice, the comptroller of the treasury

shall direct the commissioner to withhold future distributions of proceeds to the local political subdivision authorized under subsections (b) or (c) as applicable until a final determination is made pursuant to subsection (h).

(h) Upon the commissioner withholding distributions of proceeds as authorized under subsection (g), an aggrieved local school board shall have the authority to pursue equitable relief against the local political subdivision in the chancery court; provided, however, in the event that the state is a party or becomes a party to the suit, then such suit shall be filed or transferred to the chancery court of Davidson County. Upon receipt of a copy of the final judgment of the court, the commissioner shall distribute all withheld proceeds to the local political subdivision, which shall remit such proceeds to the aggrieved party pursuant to the judgment. If the amount of the judgment is not satisfied by the withheld proceeds, then the local political subdivision shall be solely responsible for remitting future proceeds to the aggrieved party pursuant to the judgment.

(i)

(1) Subsections (a) through (h) shall not apply in any county having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than three hundred thirty-six thousand five hundred (336,500) according to the 2010 federal census or any subsequent federal census. In such county, all gross receipt taxes collected under § 57-4-301(c) shall be distributed by the commissioner of revenue as follows:

(A) Fifty percent (50%) to the general fund to be earmarked for education purposes; and

(B) The other fifty percent (50%) to be distributed to local political subdivisions as follows:

(i) Collections for privileges exercised in an incorporated municipality shall be distributed by the commissioner to the city recorder; and

(ii) Collections for privileges exercised in an unincorporated area of the county shall be distributed by the commissioner to the county trustee.

(2) The proceeds received in each local political subdivision pursuant to subdivision (i)(1)(B) shall be distributed by the local political subdivision in the following manner:

(A) One half ($\frac{1}{2}$) of the proceeds shall be expended and distributed in the same manner as the county property tax for schools is expended and distributed; any proceeds expended and distributed to municipalities which do not operate their own school systems separate from the county are required to remit one half

(½) of their proceeds of the gross receipts liquor-by-the-drink tax to the county school fund; and

(B) The other one half (½) of the proceeds shall be distributed as follows:

(i) Collections of gross receipts collected in unincorporated areas, to the county general fund; and

(ii) Collections of gross receipts in incorporated cities and towns, to the city or town wherein such tax is collected.

SECTION 2. Tennessee Code Annotated, Section 49-2-203, is amended by adding the following as a new subsection:

(d)

(1)

(A) Notwithstanding any law to the contrary, the local boards of education, the municipal legislative bodies, and the county legislative body are authorized to negotiate and enter into a binding agreement that addresses the municipality's or county's responsibility to remit certain gross receipt taxes owed by the municipality or county, under § 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014, if:

(i) At any time prior to entering the binding agreement authorized in subdivision (d)(1)(A), a municipality or county has received from the commissioner of revenue gross receipt taxes collected by the department under § 57-4-301(c) and as authorized by § 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014; and

(ii) Thereafter the municipality or county, acting in good faith did not remit the proceeds to the appropriate school fund, system, or systems as required by § 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014.

(B) Such agreement, in determining the municipality's or county's responsibility to remit certain gross receipt taxes owed by the municipality or county, under § 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014, may permit the municipality or county to offset its liability in whole or in part by past, present or future appropriations, expenditures, allocation of revenue, gifts, capital projects or other similar payments, grants, or any consideration made by the municipality or county to the

school system, on behalf of the school system, or otherwise directly benefitting the school system.

(2) Such agreement shall be entered into and approved no later than August 31, 2014, and shall be the final understanding of the obligations between the parties and shall not be subject to additional requests or demands. A copy of this agreement shall be filed with the comptroller of the treasury and the commissioner of revenue. If any party defaults, then the aggrieved party shall notify the comptroller of the default. The comptroller shall deliver by certified mail a written notice of such default to the defaulting party within five (5) business days of receiving the notice. In the event the defaulting party fails to cure the default within sixty (60) days of the receipt of such notice, the comptroller shall direct the commissioner to withhold future distributions of proceeds authorized under § 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014, to the defaulting party. Upon the commissioner's withholding of the proceeds, an aggrieved party shall have the authority to pursue equitable relief against the defaulting party in the chancery court of Davidson County. Upon receipt of a copy of the final judgment of the court, the commissioner shall distribute all withheld proceeds to the defaulting party, which shall remit such proceeds to the aggrieved party pursuant to the judgment. If the amount of the judgment is not satisfied by the withheld proceeds, the defaulting party shall be solely responsible for remitting future proceeds to the aggrieved party pursuant to the judgment.

(3)

(A) If by September 1, 2014, the local boards of education, the municipal legislative bodies, and the county legislative body fail to enter into a binding agreement as authorized under subdivision (d)(1)(A), then any party may:

(i) Seek equitable relief in the chancery court of Davidson County; or

(ii) Request the comptroller to undertake binding arbitration to resolve any disagreements. The comptroller shall select the arbitrator.

(B) Such equitable relief shall be limited to those proceeds received by the local political subdivision pursuant to § 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014, and not remitted to the proper fund, system or systems as required by § 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014, from July 1, 1999, to June 30, 2014. The amount owed the appropriate school fund, system, or systems may be paid in equal installments, but not to exceed ten (10) years.

(C) All costs incurred by the comptroller of the treasury and the department of revenue under this subdivision (d)(3) shall be born equally by the parties.

(D) In the event a party fails to pursue the remedies available pursuant to subdivision (d)(3)(A)(i) or (d)(3)(A)(ii) by December 31, 2014, then the party shall be barred from any other relief for proceeds received by a local political subdivision prior to July 1, 2014.

(4) As the historical records of the comptroller of the treasury and the department of revenue permit, the comptroller of the treasury is authorized to provide to the local boards of education, the municipal legislative bodies, and the county legislative body the amount of the proceeds distributed to the local political subdivisions by the department under § 57-4-306(a)(2), as such subdivision existed prior to July 1, 2014.

(5) This subsection (d) shall not apply to any action, case, or proceeding commenced prior to June 1, 2014.

(6) Any agreement to address a municipality's or county's responsibility to remit certain gross receipt taxes owed by the municipality or county under § 57-4-306(a)(2) entered into prior to the effective date of SECTION 2 of this act is hereby ratified and this subsection (d) shall not apply to such agreements.

(7) This subsection (d) shall not apply in any county having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than three hundred thirty-six thousand five hundred (336,500) according to the 2010 federal census or any subsequent federal census.

SECTION 3. Tennessee Code Annotated, Section 9-4-5301(5), is amended by deleting the language "apportioned by § 57-4-306(2)(B)" and substituting instead the language "apportioned by § 57-4-306".

SECTION 4. If any provision of this act or the application of any provision of this act to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 5. Section 1 of this act shall take effect July 1, 2014, the public welfare requiring it. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

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Rep. K. Brooks moved that the House consider Amendment No. 3 to House Bill No. 1403, which motion prevailed by the following vote:

Ayes 87
Noes 4

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Cooper, Evans, Hardaway, Mitchell -- 4

Rep. K. Brooks moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1403 By deleting the first sentence of subdivision (i)(1) in the amendatory language of Section 1 and substituting instead:

(1) Subsections (a) through (h) shall not apply in counties having a population, according to the 2010 federal census or any subsequent federal census of:

<u>not less than:</u>	<u>nor more than:</u>
98,900	99,000

AND FURTHER AMEND by deleting subdivision (d)(7) in the amendatory language of Section 2 and substituting instead;

(7) This subsection (d) shall not apply in counties having a population, according to the 2010 federal census or any subsequent federal census of:

<u>not less than:</u>	<u>nor more than:</u>
98,900	99,000

On motion, Amendment No. 3 was adopted.

Rep. K. Brooks moved to reconsider action in passing Amendment No. 3, which motion prevailed.

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VERSION**

Rep. K. Brooks moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. K. Brooks moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. K. Brooks moved that the House consider Amendment No. 5 to House Bill No. 1403, which motion prevailed by the following vote:

Ayes 78
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Dean, DeBerry J, Dennis, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Spivey, Swann, Todd, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 78

Rep. K. Brooks moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 1403 By deleting the first sentence of subdivision (i)(1) in the amendatory language of Section 1 and substituting instead:

(1) Subsections (a) through (h) shall not apply in counties having a population, according to the 2010 federal census or any subsequent federal census of:

<u>not less than:</u>	<u>nor more than:</u>
336,400	336,500
98,900	99,000

AND FURTHER AMEND by deleting subdivision (d)(7) in the amendatory language of Section 2 and substituting instead;

(7) This subsection (d) shall not apply in counties having a population, according to the 2010 federal census or any subsequent federal census of:

<u>not less than:</u>	<u>nor more than:</u>
336,400	336,500
98,900	99,000

On motion, Amendment No. 5 was adopted.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. McManus moved that **House Bill No. 1403**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes.....	5
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 84

Representatives voting no were: Forgety, Hardaway, Holt, Sexton, Windle -- 5

Representatives present and not voting were: Dean, Johnson G -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” on the motion of previous question on **Senate Bill No. 1662** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the **House Bill No. 1403** and have this statement entered in the Journal: Rep(s). J. Turner.

SPECIAL ORDER

Rep. McCormick moved that the House take up messages from the Senate out of order, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

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Senate Bill No. 1602 -- Textbooks - As introduced, restructures the textbook commission and the textbook selection process. - Amends TCA Title 4 and Title 49. by *Bell, *Gresham, *Stevens, *Yager, *Johnson, *Tracy, *Hensley, *Crowe, *Tate, *Ketron, *Campfield, *Haile. (HB2249 by *Casada, *Womick, *Butt, *Dunn, *Sargent, *White D, *Matheny, *Evans, *Brooks K, *Weaver, *Rogers, *Sparks, *Goins, *Coley.)

Rep. Casada moved that the House refuse to recede from its action in adopting House Amendment(s) No(s). 1, 2 and 3 to **Senate Bill No. 1602**, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1760 -- Education - As introduced, prohibits counting walking to and from class towards the minimum of 90 minutes per week of required physical activity for public school students. - Amends TCA Section 49-6-1021. by *Ketron. (*HB1658 by *Brooks K, *Lamberth)

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 1760**

Pursuant to **Rule No. 73**, Rep. K. Brooks acceded to the request of the Senate and moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 1760, which motion prevailed.

The Speaker appointed Representatives K. Brooks, M. White and J. DeBerry as the members of the Conference Committee on Senate Bill No. 1760.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1895 -- Sunset Laws - As introduced, extends the emergency communications board, June 30, 2015. - Amends TCA Title 4, Chapter 29, Part 2 and Title 7, Chapter 86, Part 3. by *Bell. (HB1634 by *Matheny, *Ragan)

Rep. Matheny moved that the House refuse to recede from its action in adopting House Amendment(s) No(s). 1 to **Senate Bill No. 1895**, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 2243 -- Highways, Roads and Bridges - As introduced, directs the department of transportation to study the feasibility and cost of making crosswalks, as well as public transportation, more accessible for the sight-impaired. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 54; Title 64 and Title 67. by *McNally, *Tracy. (HB2156 *Durham, *Dean, *Sparks)

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 2243**

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Pursuant to **Rule No. 73**, Rep. Durham acceded to the request of the Senate and moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2243, which motion prevailed.

The Speaker appointed Representatives Durham, Goins and M. Turner as the members of the Conference Committee on Senate Bill No. 2243

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 2054 -- Human Rights Commission - As introduced, renames the commission the "Tennessee affirmative action commission"; restructures the commission by granting the senate and house speakers the authority to appoint members to the commission equal in number to the governor, whereas present law authorizes the governor to appoint all members to the commission. - Amends TCA Title 4; Title 8, Chapter 50 and Title 68, Chapter 1. by *Bell, *Gardenhire, *Summerville. (HB2249 by *Matlock, *Rich)

Rep. Rich moved to roll Senate Bill No. 2054 to the next series of messages, which motion prevailed.

BRIEF RECESS

Without objection, Rep. Casada moved that the House stand in recess for 15 minutes.

MESSAGE FROM THE SENATE

April 17, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1574; The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators: Norris, Haile, and Tate to confer with a like committee from the House in open conference to resolve the differences between the bodies on House Bill No. 1574.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 17, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2226; The Senate nonconcurred in House Amendment No(s). 1, 2, and 3.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 17, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1895; The Senate refused to recede from its action in nonconcurring in House Amendment(s) No.1; The

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Speaker appointed a Conference Committee composed of Senators: Bell, Gardenhire, and Harper to confer with a like committee from the House in open conference to resolve the differences between the bodies on Senate Bill No. 1895.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1602; The Senate refused to recede from its action in nonconcurring in House Amendment(s) No.1, 2, and 3; The Speaker appointed a Conference Committee composed of Senators: Bell, Gresham, and Kelsey to confer with a like committee from the House in open conference to resolve the differences between the bodies on Senate Bill No. 1602.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2243 The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1760 The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2226; The Senate refused to recede from its action in nonconcurring in House Amendment(s) No.1, 2, and 3; The Speaker appointed a Conference Committee composed of Senators: Johnson, Yager, and Kyle to confer with a like committee from the House in open conference to resolve the differences between the bodies on Senate Bill No. 2226.

RUSSELL A. HUMPHREY, Chief Clerk

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. McCormick the roll call was dispensed with.

MESSAGE CALENDAR, CONTINUED

MOTION TO RECONSIDER

Senate Bill No. 2054 -- Human Rights Commission - As introduced, renames the commission the "Tennessee affirmative action commission"; restructures the commission by granting the senate and house speakers the authority to appoint members to the commission equal in number to the governor, whereas present law authorizes the governor to appoint all members to the commission. - Amends TCA Title 4; Title 8, Chapter 50 and Title 68, Chapter 1. by *Bell, *Gardenhire, *Summerville. (HB2249 by *Matlock, *Rich)

Rep. Rich moved to lift from the table the motion to reconsider actions in passing Senate Bill No. 2054, which motion prevailed.

Rep. Rich moved that the House reconsider its actions in passing Senate Bill No. 2054, which motion prevailed.

Rep. Rich moved that Senate Bill No. 2054 be passed on third and final consideration.

Rep. Haynes moved that the House reconsider its actions in adopting State Government Committee Amendment No. 1, which motion prevailed.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Rich moved that **Senate Bill No. 2054** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes.....	11
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Moody, Odom, Parkinson, Pitts, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 80

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Representatives voting no were: Armstrong, Cooper, Gilmore, Johnson G, Jones, Mitchell, Powell, Shaw, Stewart, Turner J, Windle -- 11

Representatives present and not voting were: Calfee, Love -- 2

A motion to reconsider was tabled.

ANNOUNCEMENT

Without objection, the Clerk announced the House would take up Consent Calendar No. 2 out of order at this time.

CONSENT CALENDAR NO. 2

House Resolution No. 304 -- Memorials, Academic Achievement - Kiara Chambers, Valedictorian, Memphis Academy of Health Sciences. by *Hardaway.

House Resolution No. 305 -- Memorials, Academic Achievement - Rayven Burns, Valedictorian, Douglass High School. by *Hardaway.

House Resolution No. 306 -- Memorials, Academic Achievement - Rekhel Burke, Salutatorian, Douglass High School. by *Hardaway.

House Resolution No. 307 -- Memorials, Academic Achievement - Robbie Williams, Salutatorian, Memphis Academy of Health Sciences. by *Hardaway.

House Joint Resolution No. 1193 -- Memorials, Congratulations - Harry Eden Bryan and Jean Young Bryan, 50th anniversary. by *McDaniel.

Senate Joint Resolution No. 848 -- Memorials, Recognition - Commemorates the Month of the Military Child. by *Gresham.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pody, Powell,

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Powers, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2342 -- Hospitals and Health Care Facilities - As introduced, specifies circumstances under which a nursing home may divide and relocate a portion of its licensed beds (each being a qualified partial relocation). - Amends TCA Title 68, Chapter 11. by *Love. (*SB2429 by *Harper, *Crowe, *Ford)

BILL HELD ON DESK

Rep. Love moved that House Bill No. 2342 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

MOTION TO RECONSIDER

House Bill No. 1558 -- Education - As introduced, removes requirement that the BEP review committee consider whether to include English as second language teachers in the BEP funding formula, because the review committee has recommended that such teachers be included in the formula and the senate and house of representatives have approved the inclusion. - Amends TCA Title 49. by *Ragan, *Swann, *Powers. (*SB1453 by *McNally)

Rep. Powers moved to lift from the table the motion to reconsider action in passing House Bill No. 1558, which motion prevailed.

Rep. Powers moved to reconsider action in passing House Bill No. 1558, which motion prevailed.

On motion, House Bill No. 1558 was made to conform with **Senate Bill No. 1453**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND Senate Bill No. 1453 by deleting Section 1 in its entirety which reads as follows and by renumbering subsequent Sections accordingly:

SECTION 1. Tennessee Code Annotated, Section 49-3-352, is amended by adding the following language as new subsection (e):

(e) Subsection (b) shall not apply in counties having a population of not less than one hundred twenty-three thousand one (123,001) nor more than one hundred twenty-three thousand one hundred (123,100), according to the 2010 federal census or any subsequent federal census. In any such county, all appropriations from all sources to fund public education shall be deposited into the dedicated education fund. Money in the dedicated education fund shall be invested as provided by law.

On motion, Amendment No. 7 was adopted.

Rep. Sargent moved that the House consider Amendment No. 8 to Senate Bill No. 1453, which motion prevailed by the following vote:

Ayes	70
Noes.....	17
Present and not voting.....	1

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner M, Van Huss, Weaver, White D, Williams K, Williams R, Wirgau, Madam Speaker Harwell -- 70

Representatives voting no were: Armstrong, Camper, Cooper, Fitzhugh, Hardaway, Johnson G, Jones, Lollar, Miller, Mitchell, Parkinson, Pitts, Powell, Stewart, Turner J, Windle, Womick -- 17

Representatives present and not voting were: Akbari -- 1

Rep. Sargent moved adoption of Amendment No. 8 as follows:

Amendment No. 8

AMEND Senate Bill No. 1453 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 49-3-352, is amended by adding the following language to the end of subsection (c):

For the 2014-2015 fiscal year, the accumulated fund balance maintained pursuant to this subsection (c) shall equal no less than one and one-half percent (1.5%) of budgeted annual operating expenses and amounts in excess of such level may be expended in accordance with this subsection (c); provided, that in subsequent fiscal years the accumulated fund balance maintained pursuant to this subsection (c) shall be restored by at least one-

half percent (0.5%) per year until such balance equals no less than three percent (3%) of budgeted annual operating expenses.

Rep. Casada moved the previous question, which motion prevailed.

On motion, Amendment No. 8 failed by the following vote:

Ayes 31
Noes..... 62
Present and not voting..... 1

Representatives voting aye were: Bailey, Brooks K, Casada, Coley, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Forgety, Halford, Harrison, Hawk, Johnson C, Lamberth, Lollar, Lynn, Marsh, McCormick, McDaniel, McManus, Powers, Ramsey, Rich, Roach, Sargent, Shipley, White D, Wirgau, Madam Speaker Harwell -- 31

Representatives voting no were: Akbari, Alexander, Armstrong, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Cooper, Dean, DeBerry J, Durham, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Goins, Hall, Hardaway, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson G, Jones, Kane, Keisling, Littleton, Love, Lundberg, Matheny, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Rogers, Sanderson, Sexton, Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Todd, Turner J, Turner M, Van Huss, Weaver, White M, Williams K, Williams R, Windle, Womick -- 62

Representatives present and not voting were: Travis -- 1

Rep. Powers moved that **Senate Bill No. 1453**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes..... 9

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Todd, Travis, Van Huss, Weaver, White D, White M, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 85

Representatives voting no were: Butt, Hardaway, Johnson G, Parkinson, Tidwell, Turner J, Turner M, Williams K, Windle -- 9

A motion to reconsider was tabled.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1602 -- Textbooks - As introduced, restructures the textbook commission and the textbook selection process. - Amends TCA Title 4 and Title 49. by *Bell, *Gresham, *Stevens, *Yager, *Johnson, *Tracy, *Hensley, *Crowe, *Tate, *Ketron, *Campfield, *Haile. (HB2249 by *Casada, *Womick, *Butt, *Dunn, *Sargent, *White D, *Matheny, *Evans, *Brooks K, *Weaver, *Rogers, *Sparks, *Goins, *Coley.)

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 1602**

Pursuant to **Rule No. 73**, Rep. Casada acceded to the request of the Senate and moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 1602, which motion prevailed.

The Speaker appointed Representatives Casada, H. Brooks and J. DeBerry as the members of the Conference Committee on Senate Bill No. 1602.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1895 -- Sunset Laws - As introduced, extends the emergency communications board, June 30, 2015. - Amends TCA Title 4, Chapter 29, Part 2 and Title 7, Chapter 86, Part 3. by *Bell. (HB1634 by *Matheny, *Ragan)

BILL HELD ON DESK

Rep. Matheny moved that Senate Bill No. 1895 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 643** -- Campaigns and Campaign Finance - As introduced, removes prohibition on insurance companies making campaign contributions; increases contribution limits for political party and caucus campaign committees. - Amends TCA Title 2, Chapter 10 and Title 56, Chapter 3. by *Casada. (SB787 by *Watson, *Ramsey)

Further consideration of House Bill No. 643 previously considered on April 11, 2013, April 17, 2013, April 9, 2014, April 14, 2014, at which time it was reset for today's Calendar.

Rep. Casada moved that House Bill No. 643 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1, as House Amendment No. 6, as follows:

Amendment No. 6

4229

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 643 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 10, Part 3, is amended by adding the following as a new section thereto:

2-10-312.

Notwithstanding any other law to the contrary, with regard to any candidate for senate, the limits in § 2-10-302(a)(2), § 2-10-302(b)(1), § 2-10-302(c)(2) and § 2-10-306(a)(2) shall reset every two (2) years in the same manner the house of representatives limits reset; provided, however, a candidate has a total of four (4) years to accumulate the total amount allowed by having the limits reset every two (2) years. Any candidate running for senate shall have the same limits as any candidate in the same race who has accumulated limits under this section.

SECTION 2. This act shall take effect January 16, 2015, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1, as House Amendment No. 6, was adopted.

Rep. Holt moved the previous question, which motion failed by the following vote:

Ayes	43
Noes.....	34
Present and not voting.....	1

Representatives voting aye were: Brooks K, Carr D, Carr J, Carter, Casada, Dean, Doss, Durham, Eldridge, Evans, Faison, Farmer, Favors, Goins, Halford, Hall, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Littleton, Lundberg, Lynn, Matheny, McDaniel, McManus, Moody, Pody, Powers, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Spivey, White D, Wirgau, Womick, Madam Speaker Harwell -- 43

Representatives voting no were: Akbari, Alexander, Armstrong, Camper, Cooper, Dennis, Dunn, Fitzhugh, Floyd, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Keisling, Love, Marsh, Mitchell, Odom, Pitts, Powell, Ramsey, Rogers, Shaw, Shepard, Sparks, Stewart, Turner J, Turner M, Van Huss, Weaver, Williams K, Williams R, Windle -- 34

Representatives present and not voting were: Todd – 1

After further discussion Rep. Dennis moved the previous question, which motion prevailed.

Rep. Casada moved that **House Bill No. 643**, as amended, be passed on third and final consideration, which motion failed by the following vote:

Ayes	17
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Noes..... 62
Present and not voting..... 3

Representatives voting aye were: Brooks H, Brooks K, Casada, Doss, Dunn, Faison, Halford, Hill M, Hill T, Holt, Lundberg, Matheny, McCormick, Powers, Rich, Sargent, Madam Speaker Harwell -- 17

Representatives voting no were: Armstrong, Butt, Camper, Carr D, Carr J, Carter, Coley, Cooper, DeBerry J, Dennis, Durham, Eldridge, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Hall, Hardaway, Haynes, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Littleton, Lollar, Love, Lynn, Marsh, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ramsey, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Sparks, Stewart, Swann, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, Williams K, Williams R, Windle, Womick -- 62

Representatives present and not voting were: Alexander, Dean, McDaniel -- 3

Having received a constitutional majority in the negative, pursuant to **Rule No. 63**, the Speaker entertained a motion to reject. Hearing none, pursuant to the Rules of the House, House Bill No. 643 was referred to the Committee on Calendars and Rules.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Carter voted “no” on **House Bill No. 643**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” on the **House Bill No. 643** and have this statement entered in the Journal: Rep(s). Tidwell.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on the **House Bill No. 643** and have this statement entered in the Journal: Rep(s). J. Carr.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 2226 -- Employees, Employers - As introduced, creates a workplace bullying law that provides legal relief for employees who have been harmed by bullying in the workplace. - Amends TCA Title 50, Chapter 1. by *Kyle. (HB1981 by *Parkinson, *Love, *Fitzhugh)

Rep. Parkinson moved that the House refuse to recede from its action in adopting House Amendment(s) No(s). 1, 2 and 3 to **Senate Bill No. 2226**, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 2243 -- Highways, Roads and Bridges - As introduced, directs the department of transportation to study the feasibility and cost of making crosswalks, as well as public transportation, more accessible for the sight-impaired. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 54; Title 64 and Title 67. by *McNally, *Tracy. (HB2156 *Durham, *Dean, *Sparks)

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 2243**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 2156 (Senate Bill No. 2243) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-56-102, is amended by adding the following language as a new subsection:

(f) Notwithstanding any other provision of law to the contrary, no local government or any transit authority created by any local government shall construct, maintain or operate any bus rapid transit system using a separate lane, or other separate right-of-way, dedicated to the use of such bus rapid transit system on any state highway or state highway right-of-way unless the project to construct, maintain or operate such bus rapid transit system on the state highway or state highway right-of-way is approved by the governing body of the local government and by the commissioner of the department of transportation. Prior to approval of the project, the commissioner of transportation shall provide written notice of any such proposed project to the speakers of the senate and the house of representatives, the chairs of the finance, ways and means committees of the senate and the house of representatives, the chair of the transportation and safety committee of the senate, and the chair of the transportation committee of the house of representatives. In addition, any bus rapid transit system using a separate lane, or other separate right-of-way, dedicated to the use of such bus rapid transit system on any state highway or state highway right-of-way shall be subject to the approval of the general assembly in the annual appropriations act if any state agency proposes to assist in funding the project with state or federal-aid funds; or, in the absence of any such proposed funding, the project shall be subject to approval by the general assembly as evidenced by the passage of a joint resolution originating in either house.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

/s/ Senator Jim Tracey
/s/ Senator Frank Niceley
/s/ Senator Charlotte Burks

/s/ Representative Jeremy Durham
/s/ Representative Tilman Goins
/s/ Representative Mike Turner

Rep. Durham moved that the Report of the Conference Committee on **Senate Bill No. 2243** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	75
Noes.....	13
Present and not voting.....	4

Representatives voting aye were: Alexander, Bailey, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Lollar, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pody, Powers, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Weaver, White D, White M, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 75

Representatives voting no were: Armstrong, Camper, Cooper, Favors, Fitzhugh, Johnson G, Jones, Parkinson, Pitts, Shaw, Stewart, Turner J, Williams R -- 13

Representatives present and not voting were: Akbari, Brooks H, Dunn, Powell -- 4

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1760 -- Education - As introduced, prohibits counting walking to and from class towards the minimum of 90 minutes per week of required physical activity for public school students. - Amends TCA Section 49-6-1021. by *Ketron. (*HB1658 by *Brooks K, *Lamberth)

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 1760

The Senate and House Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1760 (House Bill No. 1658) has met and recommends that the following amendment be deleted from the introduced bill:

House Amendment No. 1 (draft no. 14782).

/s/ Senator Dolores Gresham
/s/ Senator Bill Ketron
/s/ Senator Reginald Tate

/s/ Representative Kevin Brooks
/s/ Representative John DeBerry
/s/ Representative Mark White

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Rep. K. Brooks moved that the Report of the Conference Committee on **Senate Bill No. 1760** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes 87
Noes 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Brooks H -- 1

A motion to reconsider was tabled.

**ADDRESS TO THE HOUSE OF REPRESENTATIVES
HOUSE SPEAKER BETH HARWELL**

Members, as we wait for that last report, I wanted to take a point of personal privilege to sincerely thank all of you for another successful legislative session. A lot of hard work goes into this and I think you want to join me in thanking our wonderful staff. And I also want to thank all of you who have truly worked hard. You have served your constituents well, and all of Tennessee can be proud of this body.

Perhaps a constituent expressed this best in a recent email to my office. As they visited for the first time to the capitol, their first Day on the Hill, they meet with legislators about an issue important to them. As a result, they wrote me this email and I want to quote from it. "During our visit, it became abundantly clear that each member sincerely cares about the wellbeing of the people of Tennessee. And each member brings a unique set of skills and life experiences to the table."

Let me share just a few of the specifics that were mentioned in that email. "Representative Ragan gave us a great pause when he asked about a solution. Representative Tidwell showed his commitment to his constituents when he shared his concern with an issue related to the possible reduction of medical services in his district. Representative Forgety shared with us that efforts were underway to develop a plan that would serve the people of Tennessee. Representative Pitts conveyed an excellent grasp of the needs of people faced with life altering situations." They concluded by saying this, "We have something of an understanding of the demands and sacrifices elected officials and their families face in service to their fellow citizens."

Ladies and gentlemen as I read that note I have never been more proud of this body. That this process really does take all of us working together cannot be overstated. I have seen this body time and time again come together to do what is best for this State, and this year was no

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different. Now the time has come for us to go back to our districts, connect with your constituents about the good work that you've done, and spend some much needed time with your family and friends. Thank you for the opportunity to serve as your Speaker. It is the greatest honor of my professional life and I am deeply grateful to serve in this role.

I will leave you with this quote from Douglas Adams, "To give real service, you must add something which cannot be bought or measured with money, and that is sincerity and integrity." My colleagues you have brought sincerity and integrity to this legislative body, and I am honored to call you my colleagues.

Thank you.

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1602; The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2226 The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

RULES SUSPENDED

Rep. Akbari moved that the rules be suspended for the purpose of introducing House Resolution No. 308 out of order, which motion prevailed.

House Resolution No. 308 -- Memorials, Congratulations - Representative Barbara Cooper, Memphis Area Association of Governments 2014 Legislator of the Year. by *Akbari.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Akbari, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Akbari moved that the rules be suspended for the purpose of introducing House Resolution No. 309 out of order, which motion prevailed.

House Resolution No. 309 -- Memorials, Recognition - Representative Barbara Cooper, Women of Excellence. by *Akbari.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Akbari, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 2226 -- Employees, Employers - As introduced, creates a workplace bullying law that provides legal relief for employees who have been harmed by bullying in the workplace. - Amends TCA Title 50, Chapter 1. by *Kyle. (HB1981 by *Parkinson, *Love, *Fitzhugh)

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 2226**

Pursuant to **Rule No. 73**, Rep. Parkinson acceded to the request of the Senate and moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 2226, which motion prevailed.

The Speaker appointed Representatives Parkinson, Dean and Pody as the members of the Conference Committee on Senate Bill No. 2226.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1574 -- Controlled Substances - As introduced, lowers the maximum amount of products containing ephedrine or pseudoephedrine that may be purchased in a 30 day period; alters the requirements for a stop-sale override when completion of a sale would violate the maximum limits. - Amends TCA Title 39, Chapter 17, Part 4. by *McCormick, *Hawk, *Brooks K, *Ramsey, *Watson, *Powers, *Shipley, *Sanderson, *Ragan, *Townes, *Pitts, *Mitchell, *Eldridge, *Stewart. (SB1751 by *Norris, *McNally, *Ketron)

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 1574**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1574 (Senate Bill No. 1751) has met and recommends that all House and Senate amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language following the enacting clause of the bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-431(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c)

(1) A pharmacy shall not sell products containing ephedrine or pseudoephedrine base, or their salts, isomers or salts of isomers to the same person in an amount more than:

(A) Five and seventy-six hundredths (5.76) grams in any period of thirty (30) consecutive days; or

(B) Twenty-eight and eight tenths (28.8) grams in any one-year period.

(2) A person shall not purchase products containing ephedrine or pseudoephedrine base, or their salts, isomers or salts of isomers in an amount more than:

(A) Five and seventy-six hundredths (5.76) grams in any period of thirty (30) consecutive days; or

(B) Twenty-eight and eight tenths (28.8) grams in any one-year period.

(3) The limits in this subsection (c) shall apply whether one (1) form of identification required in subsection (d) is used to make the purchase or if two (2) or more forms of identification required in subsection (d) are used to purchase the products. The limits contained in this subsection (c) shall apply to the total amount of base ephedrine and pseudoephedrine contained in the products and not the overall weight of the products. The prohibitions contained in this subsection (c) shall not apply to a person who obtains the product or products pursuant to a valid prescription issued by a licensed health care practitioner authorized to prescribe by the laws of the state.

(4) This subsection (c) also shall apply to pharmacist-generated prescription orders of the product pursuant to § 63-10-206. The provision of the patient education and counseling as a part of the practice of pharmacy shall be required when any product is issued under this subsection (c).

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(5) There shall be no protocol or procedure mandated by any individual or corporate entity that interferes with the pharmacist's professional duty to counsel and evaluate the patient's appropriate pharmaceutical needs and the exercise of the pharmacist's professional judgment as to whether it is appropriate to dispense medication as set forth in subsection (d) or otherwise.

SECTION 2. Tennessee Code Annotated, Section 39-17-431, is amended by deleting the language "one-day or thirty-day period" in subdivision (m)(1)(C) and "one-day period or thirty-day period" in subdivision (m)(1)(D) and substituting instead the language "thirty-day or one-year period".

SECTION 3. Tennessee Code Annotated, Section 39-17-431, is amended by adding the following language as a new, appropriately designated subsection:

() No person under eighteen (18) years of age may purchase a product that contains any immediate methamphetamine precursor, except pursuant to a valid prescription issued by a licensed healthcare practitioner authorized to prescribe by the law of the state or a pharmacist generated prescription issued pursuant to § 63-10-206.

SECTION 4. This act shall take effect July 1, 2014, the public welfare requiring it.\

/s/ Senator Mark Norris
/s/ Senator Ferrell Haile
/s/ Senator Reginald Tate

/s/ Representative David Hawk
/s/ Representative William Lamberth
/s/ Representative John Tidwell

Rep. Casada moved the previous question, which motion prevailed.

Rep. Hawk moved that the Report of the Conference Committee on **House Bill No. 1574** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes 80
Noes..... 16

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Sanderson, Sargent, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, White M, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 80

Representatives voting no were: Akbari, Butt, Carr J, Durham, Evans, Hall, Hill M, Holt, Rogers, Sexton, Spivey, Todd, Van Huss, Weaver, White D, Womick -- 16

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

4238

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Senate Bill No. 1602 -- Textbooks - As introduced, restructures the textbook commission and the textbook selection process. - Amends TCA Title 4 and Title 49. by *Bell, *Gresham, *Stevens, *Yager, *Johnson, *Tracy, *Hensley, *Crowe, *Tate, *Ketron, *Campfield, *Haile. (HB2249 by *Casada, *Womick, *Butt, *Dunn, *Sargent, *White D, *Matheny, *Evans, *Brooks K, *Weaver, *Rogers, *Sparks, *Goins, *Coley.)

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 1602**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 1602 (House Bill No. 2249) has met and recommends that all senate amendments and all house amendments be deleted.

The Committee further recommends that the following amendment be adopted:

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-235(a), is amended by deleting subdivision (47) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-238(a), is amended by adding the following language as a new, appropriately designated subdivision:

() State textbook and instructional materials quality commission, created by § 49-6-2201;

SECTION 3. Tennessee Code Annotated, Section 49-6-2201, is amended by deleting the section in its entirety and by substituting instead the following:

49-6-2201.

(a)

(1) There is created a state textbook and instructional materials quality commission composed of ten (10) members, nine (9) of whom shall be appointed as follows:

(A) The speaker of the senate shall appoint one (1) member from each grand division of the state;

(B) The speaker of the house of representatives shall appoint one (1) member from each grand division of the state; and

(C) The governor shall appoint one (1) member from each grand division of the state.

(2) The commissioner of education, a deputy commissioner or an assistant commissioner of education serving as the commissioner's

designee, shall be an ex officio secretary of the commission, with the right to vote, and shall serve without additional compensation for such service.

(b)

(1) One (1) member of the commission shall be appointed from each of the following groups:

(A) County directors of schools;

(B) Directors of city school systems or special school districts;

(C) School principals;

(D) Teachers and instructional supervisors in the lower grades, grades kindergarten through three (K-3);

(E) Teachers and instructional supervisors in the intermediate grades, grades four through eight (4-8); and

(F) Teachers and instructional supervisors in the upper grade subjects, grades nine through twelve (9-12).

(2) The three (3) remaining members shall be citizens of this state who are not employed in the public kindergarten through grade twelve (K-12) educational system but who are knowledgeable of education issues in this state. These three (3) members shall reside in different grand divisions.

(3) There shall be three (3) appointed members from each grand division on the commission.

(c) The appointing authorities shall consult with each other prior to appointing any member to the commission to ensure that appointments are made in accordance with subsections (a) and (b).

(d)

(1) Except as otherwise provided in this subsection, each member, prior to beginning a term of office, shall be confirmed by joint resolution of the general assembly upon the recommendation of the education committees of the senate and the house of representatives.

(2) If the general assembly is not in session at the time a member is appointed to fill a vacancy resulting from the expiration of a term, the member of the commission whose term has expired shall serve until a new appointee is confirmed as provided in subdivision (d)(1).

(3) If the general assembly is not in session at the time a member is appointed to fill a vacancy not resulting from the expiration of a term, the new appointee shall serve for the term appointed unless such appointment is not confirmed within sixty (60) calendar days after the general assembly next convenes in regular session following such appointment.

(4) If the general assembly is not in session when initial appointments are made, all initial appointments shall serve the terms prescribed pursuant to subdivision (f)(2), unless such appointments are not confirmed within sixty (60) calendar days after the general assembly next convenes in regular session following such appointments.

(e) Except as provided in subsection (f), the terms of the members of the commission shall be three (3) years.

(f)

(1) The entire membership of the commission as comprised on December 31, 2014, shall be vacated on January 1, 2015, and new members shall be appointed in accordance with subsections (a) and (b).

(2) In order to stagger the terms of the newly appointed commission members, initial appointments shall be made as follows:

(A) Each of the three (3) appointing authorities shall make an initial appointment for a term of one (1) year, which shall expire on December 31, 2015;

(B) Each of the three (3) appointing authorities shall make an initial appointment for a term of two (2) years, which shall expire on December 31, 2016; and

(C) Each of the three (3) appointing authorities shall make an initial appointment for a term of three (3) years, which shall expire on December 31, 2017.

(g)

(1) Following the expiration of members' initial terms as prescribed in subdivision (f)(2), all three-year terms shall begin on January 1 and terminate on December 31, three (3) years thereafter.

(2) All members shall serve until the expiration of the term to which they were appointed and until their successors are appointed and qualified.

(3) A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

(4) Successors shall be appointed from the same grand divisions of the state in which the members they are replacing reside.

(5) Members shall be eligible for reappointment to the commission following the expiration of their terms, but shall serve no more than two (2) consecutive three-year terms.

(h) At the first regular meeting in each calendar year, the members of the commission shall elect a chair for one (1) year.

(i)

(1) Before members of the commission begin to discharge their duties, they shall take and subscribe to the following oath: "I do hereby declare that I am not now directly or indirectly financially interested in, or employed by, any textbook or instructional materials publisher or agency, and that I will not become directly or indirectly financially interested in any of the proposed contracts, nor in any book or instructional materials, nor in any publishing concern handling or offering any books or other publications to the commission, of which I am a member, for listing and adoption, and I do hereby promise that I will act honestly, faithfully and conscientiously, and in all respects will discharge my duty as a member of this commission to the best of my skill and ability."

(2) A violation of the oath taken pursuant to subdivision (i)(1) as determined by the state board of education, in consultation with the commission, shall be grounds for the removal of a member by the respective appointing authority. A violation of the oath taken pursuant to subdivision (i)(1) may subject the commission member to criminal prosecution pursuant to applicable criminal statutes.

(j) The department of education shall assist the commission by providing mandatory training to newly appointed members on the textbook and instructional materials review process and the completion of their assigned tasks, including, but not limited to, the following:

(1) The delivery of quality textbook and instructional materials programs to the LEAs of the state, as fulfilled through the development of rules for the bidding and contracting of textbook and instructional materials programs;

(2) The adoption of physical standards and specifications that assure suitable durability of the textbooks, instructional materials and supplemental materials;

(3) The review of programs bid against the curriculum standards approved by the state board of education;

(4) The establishment of contracts that guarantee the availability of adopted programs to all LEAs at the lowest price;

(5) The authority, responsibility and duties of the commission, which shall include a review of the statutes and rules that govern the commission and the textbook and instructional materials review process;

(6) The time frame for the textbook and instructional materials review process;

(7) The process of appointing members to the advisory panels and expectations of the members of the panels;

(8) The First Amendment to the United States Constitution as it applies to the textbook and instructional materials adoption process;

(9) The goals of the textbook and instructional materials book review process. No textbook or any instructional materials shall be approved by the commission for adoption by LEAs unless the textbook or instructional materials:

(A) Conform to the standards for its subject area or grade level;

(B) Are free of any clear, substantive, factual or grammatical error;

(C) Comply with and reflect the values expressed in § 49-6-1028(b), if the textbook or instructional materials are being considered for adoption as a textbook or instructional materials for education of students in general studies and specifically in United States history and this nation's republican form of government; and

(D) Nothing in this part shall prohibit the use of or apply to supplemental instructional materials.

(k)

(1) No member of the commission shall receive any gift, reward, present or emolument from any author, publisher or distributor of a textbook or textbooks or instructional materials, except copies of textbooks and instructional materials offered for listing and adoption.

(2) No member or employee of the commission shall accept any employment as agent, attorney, subagent, employee or representative of any author, publisher or distributor of textbooks or instructional materials during the person's term of service on the commission, nor within twelve (12) months after the expiration of the person's term of office.

(3)

(A) No author, publisher, agent, attorney, employee or representative of any author, publisher or distributor shall give any present, reward, gift or emolument to any member of the commission nor make any offer of employment to a member of the commission during the member's term of service whereby the member is to become the agent, employee, attorney or representative of the author or publisher.

(B) Any contract, expressed or implied, made by any person, firm, or corporation in violation of subdivision (k)(3)(A) is declared to be illegal and void and no recovery thereon shall be had.

(4) A commission member who knowingly violates subdivision (k)(1) or (2) may be subject to criminal prosecution pursuant to applicable criminal statutes.

(l) Members of the commission shall not be compensated for their services but may be reimbursed for travel expenses in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(m)

(1) Seven (7) members of the commission shall constitute a quorum for the purpose of meeting and conducting business.

(2) No action of the commission shall be valid unless authorized by the affirmative vote of a majority of the members of the commission.

(3) The commission shall have two (2) regular meetings each school year to be held on the dates determined and announced by the commission. Notice of each regular meeting of the commission shall be posted on the department's web site within three (3) full business days of the setting of the meeting dates.

(4) The commission may have as many special meetings as it deems necessary; provided, that in no case shall any member or members of this commission receive traveling expenses for more than three (3) special meetings in one (1) school year.

(5) Public notice of the call for the special meetings shall be made by the secretary of the commission at least ten (10) business days in advance of the date set for the special meeting and shall be posted within one (1) full business day of the call.

(6) All meetings shall be held in the office of the commissioner of education or at such place as designated by the commission.

(7) Meetings of the commission shall be made available for viewing by the public over the Internet by streaming video accessible from the web site of the department of education. Archived videos of the commission's meetings shall also be available to the public through the department's web site.

(n)

(1)

(A) The commission, through its chair, may recruit and appoint an advisory panel of expert teachers and other experts in each subject area or grade level to advise the commission on textbook and instructional material selections.

(B) At least one (1) teacher shall be appointed to each advisory panel. Teachers appointed to the advisory panels shall possess a license to teach with an endorsement in the subject area or grade level for which they shall review textbooks or instructional materials.

(C) Experts, who are not public school teachers, may include college professors and credentialed subject matter specialists.

(D) All members of advisory panels shall have a specific knowledge of and expertise in the content of the subject matter contained in the textbooks or instructional materials they review.

(2) The department of education shall assist the commission by providing mandatory training to members of advisory panels on the review process and the completion of their assigned tasks. The mandatory training shall include:

(A) The requirements for performing a thorough review of all textbooks or instructional materials assigned to a member for review. The review shall include an examination as to whether the textbooks or instructional materials:

(i) Conform to the standards for their subject areas or grade levels;

(ii) Are free of any clear, substantive, factual or grammatical errors;

(iii) Comply with and reflect the values expressed in § 49-6-1028(b), if the textbook or instructional materials are being considered for adoption as a textbook or instructional materials for education of students in general studies and specifically in United States history and this nation's republican form of government; and

(iv) Nothing in this part shall prohibit the use of or apply to supplemental instructional materials.

(B) The use of any forms developed by the commission for making a review; and

(C) The time frame for completing their tasks.

(3) The advisory panelists shall individually make their recommendations and shall not be convened except upon the call of the chair of the commission. If convened, the panelists may be reimbursed from funds available to the commission for travel expenses in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(4) The names of the reviewers, their positions, employers and the panels on which they serve shall be identified on the department's web site. The reviews of the members of an advisory panel shall be posted on the department's web site without any information that would identify the reviewers.

(5) Each textbook or any instructional materials proposed for approval shall be reviewed by multiple members of the panel.

(6) Before issuing a recommendation on a textbook or on instructional materials, each advisory panelist shall review the public comments on the textbook or instructional materials posted on department's web site, pursuant to § 49-6-2203(d)(4). Each advisory panelist shall consider the public comments in making the panelist's recommendation.

(7) The commission shall evaluate all reviews submitted by the members of the advisory panel for each textbook or any instructional materials proposed for approval. The commission shall also review the public comments posted on the department's web site, pursuant to § 49-6-2203(d)(4). If the reviews by the members of the advisory panel for a specific textbook or instructional materials do not lead to a clear recommendation as to the approval or rejection of the textbook or instructional materials or if the commission finds that the public comments indicate that further review of a textbook or any instructional materials is called for, then the commission shall conduct a public hearing as to whether the textbook or instructional materials should be approved. Notice of the public hearing shall be prominently posted on the home page of the department's web site at least thirty (30) days prior to the meeting of the commission at which the textbook or instructional materials are to be considered.

(8) The commission is authorized to promulgate rules and regulations for the recruitment and appointment of members to the advisory panels and the process by which the members review their assigned texts.

SECTION 4. Tennessee Code Annotated, Section 49-6-2202, is amended by redesignating subsection (d) as subsection (e) and by deleting subsections (a), (b) and (c) in their entireties and substituting instead:

(a) It is the duty of the commission to prepare a list of standard editions of textbooks and instructional materials for approval by the state board of education for use in the public schools of the state. The commission shall prepare a list of at least four (4) books or sets of instructional materials in each subject and grade for which textbooks or instructional materials are to be adopted, if four (4) or more textbooks or sets of instructional materials in that subject or grade are available and of sufficient merit to warrant being listed. The list shall be published in accordance with the rules, regulations, policies and procedures of the state publications committee. The proposed textbook and instructional materials list shall also be posted on the web site of the department of education.

(b)

(1) The commission has the authority to recommend to the state board of education which textbooks and instructional materials may be added to the list for adoption.

(2) The commission shall only recommend textbooks and instructional materials that comply with and reflect the values expressed in § 49-6-1028(b), if the textbook or instructional materials are being considered for adoption as a textbook or instructional materials for education of students in general studies and specifically in United States history and this nation's republican form of government.

(3) Nothing in this part shall prohibit the use of or apply to supplemental instructional materials.

(4) In recommending textbooks and instructional materials for use in social studies, Tennessee history, American history or any related subject, the commission shall strive to recommend textbooks and instructional materials that accurately and comprehensively portray the full range of diversity and achievement of racial and ethnic minorities as well as the role and importance of religion in history.

(c) A publisher submitting a textbook or instructional materials for possible approval shall execute an agreement:

(1) Ensuring the book's or the materials' accuracy;

(2) Certifying that the textbook or the instructional materials have been thoroughly examined and reviewed by qualified content experts for

factual accuracy. The publisher shall also list the professional credentials for at least three (3) content review experts who have thoroughly examined the textbook or instructional materials for content accuracy;

(3) Certifying that the textbook or instructional materials have been thoroughly examined and reviewed by qualified editors for typographical errors and errors in grammar, written expression, spelling, formatting and other substantive elements that may affect student learning; and

(4) Agreeing to correct all factual and editing errors found in a textbook or instructional materials, at the publisher's expense. The publisher shall submit a corrective action plan to the department, for review and approval by the state board, within thirty (30) days of the department's notification of the existence of errors in the textbook or instructional materials.

(d) The commission shall not proceed with undue haste to accomplish the work of the commission, but, with the assistance of the state board and the department, shall establish appropriate deadlines for the review of textbooks and instructional materials by advisory panels and for its own review of textbooks and instructional materials. Upon the appropriate approval of the state board, the commission shall publish the list of textbooks and instructional materials that may be adopted by local boards of education for use in the schools of this state. The list shall contain the title of the textbooks and instructional materials listed for adoption, the names of the publishers and the prices at which the books and materials are available, as provided for in this chapter.

SECTION 5. Tennessee Code Annotated, Section 49-6-2203(d), is amended by deleting the subsection in its entirety and substituting instead the following:

(1) Copies of all textbooks and instructional materials bid shall be filed with the secretary of the commission on or before a date specified by the commission, but no later than the date of the start of the review by the advisory panels. A publisher shall not submit draft copies of textbooks, instructional materials or other supplemental materials. All textbooks, instructional materials and accompanying manuals, workbooks and other supplemental materials shall be submitted in finished form no later than the start of the review period. If a complete copy of any textbooks, instructional materials or any of their supplemental materials is not filed prior to the date specified by the commission, then the textbook or instructional materials shall not be considered for adoption. The textbooks and instructional materials shall be accompanied by a list stating the edition, title and author of each textbook or any instructional materials offered.

(2) No textbook or instructional materials shall be listed for adoption unless they have been filed as provided in subdivision (d)(1). Textbooks and instructional materials listed for adoption shall be retained by the commissioner for the period of the adoption.

(3) In addition to the finished textbooks and instructional materials required to be filed with the secretary of the commission, publishers shall make all textbooks and instructional materials proposed for adoption available for inspection online by LEAs and the public. The online inspection shall allow inspection of both the textbook or

instructional materials and all accompanying manuals, workbooks and other supplemental materials. The commission shall require that a publisher in its bid document agree to provide complete online copies of the textbooks or instructional materials bid during the review process by the advisory panels, but in no case shall the textbooks or instructional materials be available for less than ninety (90) days.

(4) The department shall develop a procedure by which members of the public may comment on the books proposed for adoption. Comments shall be accepted by regular mail, email or in another electronic format as determined by the department. Public comments received by the department shall be posted on the department's web site; provided, that any comment posted shall pertain only to the review of a textbook or any instructional materials being proposed for adoption. The department shall distribute the public comments on a textbook or any instructional materials to the advisory panelists prior to the making of their recommendations on the textbook or instructional materials and to the commission before its approval of the textbook or instructional materials for inclusion on the textbook list.

SECTION 6. Tennessee Code Annotated, Section 49-6-2207(b)(2), is amended by deleting the subdivision in its entirety.

SECTION 7. Tennessee Code Annotated, Section 49-6-2207(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c)

(1) Local boards of education shall appoint review committees to review the textbooks and instructional materials proposed for adoption and shall make their adoption upon recommendations of such committees. These committees shall be set up by grade and subject matter fields and composed of teachers, or supervisors and teachers, and parents with children enrolled in the LEA at the time of appointment to a committee. The local board may also appoint experts in the grade level or subject matter field for which textbooks and instructional materials are to be reviewed. Experts may be college professors or credentialed subject matter specialists. The board shall determine the number of members of the committee based upon the relative size of the LEA.

(2) Teachers and supervisors who serve on a committee shall be teaching or supervising the respective grade or subject at the time of appointment. Committees shall be composed by grade or groups of grades arranged so that a committee may consider an entire series of books if it should so desire; provided, that in all cases, the teachers and supervisors appointed to the committees shall be licensed to teach in the state with endorsements in the subject matter or grade level for which textbooks or instructional materials are being reviewed. Teachers and supervisors shall have three (3) or more years of experience as teachers or supervisors in the public schools.

(3) The members of the committee authorized in this section shall serve for the length of time that the adoption process for which they are appointed lasts.

SECTION 8. Tennessee Code Annotated, Section 49-6-2207(e), is amended by deleting the subsection in its entirety and substituting instead the following:

(e) The director of schools in the LEA adopting textbooks or instructional materials under this part shall serve as an ex officio member of all committees appointed under subsection (c). The director of schools shall record a list of all textbooks or instructional materials adopted by the local board of education. Immediately, at the completion of the adoption process, the director shall forward a copy of the recorded adoption to the commissioner of education and shall post on the LEA's web site the list of all books adopted.

SECTION 9. Tennessee Code Annotated, Section 49-6-2203(j), is amended by deleting the subsection in its entirety and substituting instead the following:

(j) The contractor shall file with the contract a good and sufficient bond with a surety company authorized to do business in this state in the sum to be determined by the commission but no less than two thousand dollars (\$2,000) nor more than ten thousand dollars (\$10,000) and conditioned upon the faithful performance of all conditions of the contract and this part.

SECTION 10. Tennessee Code Annotated, Section 49-6-2203(a), is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".

SECTION 11. Tennessee Code Annotated, Section 49-6-2203(e), is amended by deleting the word "textbooks" and substituting instead the words "textbooks and instructional materials".

SECTION 12. Tennessee Code Annotated, Section 49-6-2203(g), is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".

SECTION 13. Tennessee Code Annotated, Section 49-6-2204, is amended by deleting the word "textbooks" and substituting instead "textbooks and instructional materials".

SECTION 14. Tennessee Code Annotated, Section 49-6-2205, is amended by deleting the word "textbooks" and substituting instead the words "textbooks and instructional materials" and by deleting the words "state textbook commission" and substituting instead the words "state textbook and instructional materials quality commission".

SECTION 15. Tennessee Code Annotated, Section 49-6-2206, is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".

SECTION 16. Tennessee Code Annotated, Section 49-6-2207(a)(1), is amended by deleting the word "textbooks" wherever it appears and substituting instead the words "textbooks and instructional materials".

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SECTION 17. Tennessee Code Annotated, Section 49-6-2207(a)(2), is amended by deleting the word “textbook” and substituting instead the words “textbook or instructional materials”.

SECTION 18. Tennessee Code Annotated, Section 49-6-2207(b)(1), is amended by deleting the word “textbooks” and substituting instead the words “textbooks and instructional materials”.

SECTION 19. Tennessee Code Annotated, Section 49-6-2207(f), is amended by deleting the word “textbooks” wherever it appears and substituting instead the words “textbooks and instructional materials”.

SECTION 20. Tennessee Code Annotated, Section 49-6-2208, is amended by deleting the word “textbooks” and substituting instead the words “textbooks and instructional materials” and by deleting the word “textbook” and substituting instead the words “textbook and instructional materials”.

SECTION 21. Tennessee Code Annotated, Section 49-6-2211, is amended by deleting the word “textbook” wherever it appears and substituting instead the words “textbook or instructional materials”.

SECTION 22. Tennessee Code Annotated, Section 49-1-302(a)(4)(A), is amended by deleting the word “textbooks” and substituting instead the words “textbooks and instructional materials”.

SECTION 23. Tennessee Code Annotated, Section 49-1-302(a)(9), is amended by deleting the words “state textbook commission” and substituting instead the words “state textbook and instructional materials quality commission”.

SECTION 24. Tennessee Code Annotated, Section 49-1-608, is amended by deleting the word “textbooks” and substituting instead the words “textbooks and instructional materials”.

SECTION 25. Tennessee Code Annotated, Section 49-3-310(1)(A), is amended by deleting the words “textbooks and kindergarten materials” wherever they appear and substituting instead the words “textbooks, instructional materials and kindergarten materials”; by deleting the words “furnish the textbooks” and substituting instead the words “furnish the textbooks and instructional materials”; by deleting the words “all required textbooks” and substituting instead the words “all required textbooks and instructional materials”; and by deleting the words “state textbook commission” and substituting instead the words “state textbook and instructional materials quality commission”.

SECTION 26. Tennessee Code Annotated, Section 49-3-310(1)(B), is amended by deleting the words “All textbooks purchased” and substituting instead the words “All textbooks and instructional materials purchased”; by deleting the words “its textbooks” and substituting instead the words “its textbooks and instructional materials”; by deleting the words “damaged textbook” and substituting instead the words “damaged textbook and instructional materials”; by deleting the words “additional textbooks” and substituting instead the words “additional textbooks and instructional materials”; and by deleting the words “textbook is prescribed” wherever they appear and substituting instead the words “textbook and instructional materials are prescribed”.

SECTION 27. Tennessee Code Annotated, Section 49-3-310(1)(C), is amended by deleting the words “any textbook” and substituting instead the words “any textbook or instructional materials”; by deleting the words “defaces the textbook” and substituting instead the words “defaces the textbook or instructional materials”; and by deleting the word “purchasing textbooks” and substituting instead the words “purchasing textbooks and instructional materials”.

SECTION 28. Tennessee Code Annotated, Section 49-3-310(2), is amended by deleting the word “textbook” and substituting instead the words “textbook and instructional materials” and by deleting the word “means” and substituting instead the word “mean”.

SECTION 29. Tennessee Code Annotated, Section 49-6-1013, is amended by deleting the word “textbooks” wherever it appears and substituting instead the words “textbooks or instructional materials”.

SECTION 30. Tennessee Code Annotated, Section 49-6-1026, is further amended by deleting the word “textbooks” wherever it appears and substituting instead the words “textbooks and instructional materials”; by deleting the words “ and textbook” and substituting instead the language “, textbook and instructional materials”; and by deleting the words “an associated textbook” and substituting instead the words “an associated textbook or instructional materials”.

SECTION 31. This act shall take effect January 1, 2015, the public welfare requiring it.

/s/ Senator Mike Bell

/s/ Representative Glen Casada

/s/ Senator Dolores Gresham

/s/ Representative Harry Brooks

/s/ Senator Brian Kelsey

/s/ Representative John DeBerry

Rep. Casada moved that the Report of the Conference Committee on **Senate Bill No. 1602** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	75
Noes.....	20

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Moody, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Van Huss, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 75

Representatives voting no were: Akbari, Armstrong, Camper, Favors, Fitzhugh, Hardaway, Jernigan, Johnson G, Jones, Mitchell, Odom, Parkinson, Pitts, Powell, Shaw, Stewart, Towns, Turner J, Turner M, Windle -- 20

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Powers moved that the rules be suspended for the purpose of introducing House Resolution No. 310 out of order, which motion prevailed.

House Resolution No. 310 -- Memorials, Death - Bobbie W. Ragan. by *Powers.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Powers moved that all members voting aye on House Resolution No. 310 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

On motion of Rep. Powers, the resolution was adopted by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

MESSAGE CALENDAR, CALENDAR

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 2226 -- Employees, Employers - As introduced, creates a workplace bullying law that provides legal relief for employees who have been harmed by bullying in the workplace. - Amends TCA Title 50, Chapter 1. by *Kyle. (HB1981 by *Parkinson, *Love, *Fitzhugh)

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 2226**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 2226 (House Bill No. 1981) has met and recommends that the following amendments be deleted:

Senate Amendment 1 (16690),
House Amendment 1 (15669),
House Amendment 2 (16174),
House Amendment 3 (16619).

The Committee further recommends that the following amendment be adopted:

by deleting all language after the caption and substituting instead the following language:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, is amended by adding the following language as a new part:

50-1-501. This part shall be known and may be cited as the “Healthy Workplace Act”.

50-1-502. As used in this part:

(1) “Abusive conduct” means acts or omissions that would cause a reasonable person, based on the severity, nature, and frequency of the conduct, to believe that an employee was subject to an abusive work environment, such as:

(A) Repeated verbal abuse in the workplace, including derogatory remarks, insults, and epithets;

(B) Verbal, non-verbal, or physical conduct of a threatening, intimidating, or humiliating nature in the workplace; or

(C) The sabotage or undermining of an employee’s work performance in the workplace;

(2) “Agency” means any department, commission, board, office or other agency of the executive, legislative or judicial branch of state government; and

(3) “Employer” means any agency, county, metropolitan government, municipality, or other political subdivision of this state.

50-1-503.

(a) No later than March 1, 2015, the Tennessee advisory commission on intergovernmental relations (TACIR) shall create a model policy for employers to prevent abusive conduct in the workplace. The model policy shall be developed in consultation with the department of human resources and interested municipal and county organizations including, but not limited to, the Tennessee Municipal League, the Tennessee County Services Association, the municipal technical advisory service (MTAS), and the county technical assistance service (CTAS).

(b) The model policy created pursuant to subsection (a) shall:

(1) Assist employers in recognizing and responding to abusive conduct in the workplace; and

(2) Prevent retaliation against any employee who has reported abusive conduct in the workplace.

(c) Each employer may adopt the policy created pursuant to subsection (a) as a policy to address abusive conduct in the workplace.

50-1-504.

Notwithstanding § 29-20-205, if an employer adopts the model policy created by TACIR pursuant to subsection (a) or adopts a policy that conforms to the requirements set out in subsection (b), then the employer shall be immune from suit for any employee's abusive conduct that results in negligent or intentional infliction of mental anguish. Nothing in this section shall be construed to limit the personal liability of an employee for any abusive conduct in the workplace.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Jack Johnson

/s/ Senator Jim Kyle

/s/ Senator Ken Yager

/s/ Representative Vince Dean

/s/ Representative Antonio Parkinson

/s/ Representative Mark Pody

Rep. Parkinson moved that the Report of the Conference Committee on **Senate Bill No. 2226** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 1192 out of order, which motion prevailed.

House Joint Resolution No. 1192 -- General Assembly, Adjournment - Provides for adjournment sine die of the 108th General Assembly at close of business on April 17, 2014. by *McCormick.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McCormick, the resolution was adopted.

A motion to reconsider was tabled.

SELECT COMMITTEE APPOINTMENTS

Representative McCormick moved that the Speaker appoint a committee to notify the Senate that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die.

The Speaker announced that she had appointed the following committee to notify the Senate that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die: Representative Dean, Bailey, Evans and J. Carr. Representative Dean served as the Chair of this Committee.

Representative McCormick moved that the Speaker appoint a committee to notify the Governor that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die.

The Speaker announced that she had appointed the following committee to notify the Governor that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die: Representatives M. Turner, K. Williams, Rich and Floyd. Representative M. Turner served as the Chair of this Committee.

SENATE READY TO ADJOURN

Senator Lowe Finney notified the House that the Senate had completed its business and was ready to adjourn.

REPORTS OF SELECT COMMITTEES

Rep. Dean advised the House that the Senate had been notified that the House has completed its business for the Second Regular Session and is ready to adjourn Sine Die.

Rep. M. Turner advised the House that the Governor had been notified that the House has completed its business or the Second Regular Session and is ready to adjourn Sine Die.

JOURNAL APPROVED

On motion of Rep. McCormick, the Journal of the House of Representatives and the proceedings thereof were approved from the Thirty-Fourth through the Sixty-Seventh Legislative Day of the Second Regular Session.

REPORT OF CHIEF ENGROSSING CLERK

April 17, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 702, 1199, 1396, 1398, 1431, 1496, 1546, 1554, 1640, 1783, 2503, 2505, 2516, 2525, 2526, 2527 and 2529; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

ENGROSSED BILLS

April 17, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No(s). 1194;

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 17, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1549 The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

April 17, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1187, 1188, 1189, 1190 and 1191.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED

April 17, 2014

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The Speaker announced that she had signed the following: Senate Bill(s) No(s). 289, 726, 997, 1634, 1672, 1695, 1705, 1718, 1774, 1781, 1832, 1863, 1875, 1884, 1892, 1908, 1940, 1967, 1999, 2053, 2101, 2128, 2203, 2250, 2269, 2283, 2311, 2335, 2352, 2370, 2555, 2406 and 2404.

JOE McCORD, Chief Clerk

**ENGROSSED BILLS
April 17, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No(s). 1193;

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 17, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 464, 1709, 1787, 2097, 2171, 2174 and 2512; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No(s). 1194; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 17, 2014**

The Speaker announced that she had signed the following: House Bill(s) No(s). 464, 1709, 1787, 2097, 2171, 2174 and 2512.

GREG GLASS, Interim Chief Engrossing Clerk

**ENGROSSED BILLS
April 17, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No(s). 1192;

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
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MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1505;
For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 464, 1709,
1787, 2097, 2171 and 2512; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
April 17, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we
have carefully compared House Resolution No(s). 310; and find same correctly enrolled and
ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 17, 2014**

The Speaker announced that she had signed the following: House Resolution No(s).
310.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 17, 2014**

MADAM SPEAKER: I am directed by the Senate to notify the House that the Senate has
completed its business and is ready to adjourn sine die in accordance with House Joint
Resolution No. 1192.

RUSSELL A. HUMPHREY, Chief Clerk

MOTION TO ADJOURN

Rep. McCormick moved that pursuant to **House Joint Resolution No. 1192**, the House
of Representatives of the 108th General Assembly adjourn, sine die.

SINE DIE ADJOURNMENT

Thereupon, in accordance with **House Joint Resolution No. 1192**, Madam Speaker Harwell declared the House of Representatives of the 108th General Assembly adjourned, sine die.

Beth Harwell, Speaker,
House of Representatives

ATTEST:

JOE McCORD, Chief Clerk,
House of Representatives.

**MESSAGE FROM THE SENATE
April 21, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1574 The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 21, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1403, 1769, 2313, 2524, 2531, 2532, 2537, 2538, 2539, 2542, 2550, 2553, 2554 and 2555; substituted for Senate bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 21, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 847, 1164, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1187, 1188, 1189, 1190, 1191, 1192 and 1193; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
April 21, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No(s). 1004; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 21, 2014**

The Speaker announced that she had signed the following: House Joint Resolution No(s). 1004.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 21, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No(s). 1004; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK
April 21, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No(s). 1004; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR
April 21, 2014

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution No(s). 1004; with his approval.

ASHLEIGH H. ROBERTS for HERBERT H. SLATTERY III, Counsel to the Governor

ENROLLED BILLS
April 23, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 289 and 292; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED
April 23, 2014

The Speaker announced that she had signed the following: House Resolution(s) No(s). 289 and 292.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 23, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2552; substituted for Senate bill on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS
April 23, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 960 and 1169; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 23, 2014**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 960 and 1169.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 23, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 960 and 1169; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 23, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 960 and 1169; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 23, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1429, 1440, 1456 and 1896; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
April 23, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 960 and 1169; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**ENROLLED BILLS
April 24, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 296 and 297; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 24, 2014**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 296 and 297.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 24, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 791, 840, 841, 842, 846 and 847; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 24, 2014**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 791, 840, 841, 842, 846 and 847.

JOE McCORD, Chief Clerk

**ENROLLED BILLS
April 25, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1745, 1931, 2208, 2380, 2406, 2445, 2520 and 2545; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 25, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1403, 1549, 1574, 1769, 2313, 2524, 2531, 2532, 2537, 2538, 2539, 2542, 2550, 2552, 2553 and 2555; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 25, 2014**

**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
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MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 263, 264, 265, 266, 267, 268, 269, 270, 271 and 272; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 25, 2014**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 263, 264, 265, 266, 267, 268, 269, 270, 271 and 272.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 25, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No(s). 962; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 25, 2014**

The Speaker announced that she had signed the following: House Joint Resolution No(s). 962.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 25, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No(s). 966; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 25, 2014**

The Speaker announced that she had signed the following: House Joint Resolution No(s). 966.

GREG GLASS, Interim Chief Engrossing Clerk

ENROLLED BILLS

April 25, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 791, 797, 893, 894, 897, 898, 909, 911, 931, 935, 936, 937, 938, 939, 940, 941, 942, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 961, 963, 964, 965, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1009, 1010 and 1011; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED

April 25, 2014

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 791, 797, 893, 894, 897, 898, 909, 911, 931, 935, 936, 937, 938, 939, 940, 941, 942, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 961, 963, 964, 965, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1009, 1010 and 1011.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 28, 2014

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 791, 797, 893, 894, 897, 898, 909, 911, 931, 935, 936, 937, 938, 939, 940, 941, 942, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1009, 1010 and 1011; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS

April 28, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No(s). 1046; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 28, 2014**

The Speaker announced that she had signed the following: House Joint Resolution No(s). 1046.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 28, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No(s). 1046; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 28, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 791, 797, 893, 894, 897, 898, 909, 911, 931, 935, 936, 937, 938, 939, 940, 941, 942, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 961, 962, 963, 964, 965, 966, 967 and 1046; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 28, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 464, 1709, 1787, 2097, 2171 and 2512; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 28, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2500 and 2501; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
April 28, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 791, 797, 893, 894, 897, 898, 909, 911, 931, 935, 936, 937, 938, 939, 940, 941, 942, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 961, 962, 963, 964, 965, 966, 967 and 1046; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
April 28, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 477, 654, 714, 1134, 1173, 1386, 1432, 1433, 1441, 1446, 1469, 1483, 1488, 1503, 1505, 1516, 1578, 1579, 1588, 1595, 1596, 1613, 1633, 1637, 1697, 1732, 1733, 1772, 1869, 1877, 1925, 1943, 2035, 2038, 2072, 2083, 2142, 2246, 2255, 2264, 2267, 2314, 2317, 2341, 2350, 2356, 2359, 2361, 2387, 2404, 2410, 2424, 2441, 2442, 2472, 2479, 2489, 2502, 2507, 2509, 2513, 2514, 2515, 2518, 2519, 2521 and 2523; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**ENROLLED BILLS
April 29, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No(s). 277; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 29, 2014**

The Speaker announced that she had signed the following: House Resolution No(s). 277.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
April 29, 2014**

**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
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MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2546, 2547, 2548 and 2554; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 29, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1009, 1010 and 1011; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 30, 2014**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 1505.

JOE McCORD, Chief Clerk

**SIGNED
April 30, 2014**

The Speaker announced that she had signed the following: House Bill(s) No(s). 1403, 1429, 1440, 1456, 1549, 1574, 1745, 1769, 1896, 1931, 2208, 2313, 2380, 2406, 2445, 2500, 2501, 2520, 2524, 2531, 2532, 2537, 2538, 2539, 2542, 2545, 2546, 2547, 2548, 2550, 2552, 2553, 2554 and 2555.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 30, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 491, 505, 544, 716, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 779, 780, 781, 784, 785, 786, 787, 788, 789, 790, 792, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 817, 818, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 843, 844, 845 and 848; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

April 30, 2014

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 491, 505, 544, 716, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 779, 780, 781, 784, 785, 786, 787, 788, 789, 790, 792, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 817, 818, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 843, 844, 845 and 848.

JOE McCORD, Chief Clerk

ENROLLED BILLS

April 30, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 542, 913, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054 and 1086; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED

April 30, 2014

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 542, 913, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054 and 1086.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 30, 2014

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 542, 913, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054 and 1086; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK

April 30, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 542, 913, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029 and 1086; for his action.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR

April 30, 2014

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1009, 1010 and 1011; for his action.

HERBERT H. SLATTERY III, Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 30, 2014

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 702, 1199, 1396, 1398, 1431, 1496, 1546, 1554, 1640, 1783, 2503, 2505, 2516, 2525, 2526, 2527 and 2529; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

MESSAGE FROM THE GOVERNOR

May 1, 2014

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution No(s). 1086; with his approval.

JOHN N. RODEN for HERBERT H. SLATTERY III, Counsel to the Governor

ENROLLED BILLS

May 1, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No(s). 1063; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED

May 1, 2014

**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
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The Speaker announced that she had signed the following: House Joint Resolution No(s). 1063.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
May 1, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No(s). 1063; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
May 1, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108 and 1109; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
May 1, 2014**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108 and 1109.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
May 1, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108 and 1109; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
May 1, 2014**

**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No(s). 1063; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
May 1, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution No(s). 1063; with his approval.

JOHN N. RODEN for HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE SENATE
May 1, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 96, 332, 579, 877, 1047, 1128, 1266, 1362, 1432, 1453, 1457, 1477, 1481, 1497, 1556, 1559, 1587, 1602, 1603, 1629, 1662, 1663, 1690, 1691, 1708, 1709, 1760, 1766, 1768, 1778, 1790, 1811, 1815, 1826, 1834, 1851, 1852, 1858, 1860, 1893, 1905, 1913, 1914, 1917, 1924, 1929, 1952, 1954, 1978, 1988, 2006, 2021, 2023, 2024, 2028, 2054, 2056, 2079, 2087, 2090, 2091, 2093, 2118, 2126, 2133, 2144, 2156, 2178, 2226, 2228, 2243, 2252, 2256, 2257, 2261, 2265, 2266, 2268, 2281, 2319, 2333, 2337, 2355, 2378, 2380, 2415, 2434, 2460, 2471, 2504, 2515, 2516, 2531, 2538, 2547, 2549, 2553, 2559, 2580, 2601, 2623, 2626, 2627, 2630, 2632, 2635 and 2645; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
May 1, 2014**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1403, 1429, 1440, 1456, 1549, 1574, 1745, 1769, 1896, 1931, 2174, 2208, 2313, 2380, 2406, 2445, 2500, 2501, 2520, 2524, 2531, 2532, 2537, 2538, 2539, 2542, 2545, 2546, 2547, 2548, 2550, 2552, 2553, 2554 and 2555; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
May 2, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163 and 1165; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
May 2, 2014**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163 and 1165.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
May 2, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163 and 1165; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
May 2, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071 and 1072; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
May 2, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 542, 913, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028 and 1029; with his approval.

JOHN N. RODEN for HERBERT H. SLATTERY III, Counsel to the Governor

**REPORT OF CHIEF ENGROSSING CLERK
May 5, 2014**

**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1403, 1429, 1440, 1456, 1549, 1574, 1745, 1769, 1896, 1931, 2174, 2208, 2313, 2380, 2406, 2445, 2500, 2501, 2520, 2524, 2531, 2532, 2537, 2538, 2539, 2542, 2545, 2546, 2547, 2548, 2550, 2552, 2553 and 2555; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
May 5, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097 and 1098; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
May 5, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 847, 1164, 1166, 1167, 1168, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1187, 1188, 1189, 1190, 1191, 1192, 1193 and 1194; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
May 5, 2014**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 847, 1164, 1166, 1167, 1168, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1187, 1188, 1189, 1190, 1191, 1192, 1193 and 1194.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
May 5, 2014**

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**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
VERSION**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 847, 1164, 1166, 1167, 1168, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1187, 1188, 1189, 1190, 1191, 1192, 1193 and 1194; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR
May 5, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071 and 1072; with his approval.

JOHN N. RODEN for HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
May 5, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097 and 1098; with his approval.

JOHN N. RODEN for HERBERT H. SLATTERY III, Counsel to the Governor

**ENROLLED BILLS
May 6, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 273, 274, 275 and 276; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
May 6, 2014**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 273, 274, 275 and 276.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
May 6, 2014**

**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
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MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 185, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 290, 291, 293 and 294; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
May 6, 2014**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 185, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 290, 291, 293 and 294.

GREG GLASS, Interim Chief Engrossing Clerk

**ENROLLED BILLS
May 7, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 295, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308 and 309; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
May 7, 2014**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 295, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308 and 309.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
May 7, 2014**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 96, 332, 579, 877, 2257, 2265, 2266, 2268, 2281, 2319, 2333, 2337, 2355, 2378, 2380, 2415, 2434, 2460, 2471, 2504, 2515, 2516, 2531, 2538, 2547, 2549, 2553, 2559, 2580, 2601, 2623, 2626, 2627, 2630, 2632 and 2635.

JOE McCORD, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
May 7, 2014**

4277

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 2554; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
May 7, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122 and 1123; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
May 7, 2014**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 1047, 1128, 1266, 1362, 1432, 1453, 1457, 1477, 1481, 1497, 1556, 1559, 1587, 1602, 1603, 1629, 1662, 1663, 1690, 1691, 1708, 1709, 1760, 1766, 1768, 1778, 1790, 1811, 1815, 1826, 1834, 1851, 1852, 1858, 1860, 1893, 1905, 1913, 1914, 1917, 1924, 1929, 1952, 1954, 1978, 1988, 2006, 2021, 2023, 2024, 2028, 2054, 2056, 2079, 2087, 2090, 2091, 2093, 2118, 2126, 2133, 2144, 2156, 2178, 2226, 2228, 2243, 2252 and 2256.

JOE McCORD, Chief Clerk

**SIGNED
May 7, 2014**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 2261.

JOE McCORD, Chief Clerk

**MESSAGE FROM THE GOVERNOR
May 8, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122 and 1123; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**SIGNED
May 9, 2014**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 2645.

JOE McCORD, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
May 9, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157 and 1158; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
May 9, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 464, 1709, 1787, 2097, 2171 and 2512; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**REPORT OF CHIEF ENGROSSING CLERK
May 13, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 847, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1187, 1188, 1189, 1190, 1191, 1193 and 1194; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
May 13, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157 and 1158; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**COMMUNICATION
May 13, 2014**

The Honorable Tre Hargett
Secretary of State
State Capitol
Nashville TN, 37243

RE: Recall of Engrossed Bills

Dear Secretary of State Hargett:

It has come to my attention that certain bills filed with your office have an inaccurate “approved” date. The date, which was noted by an employee of the Governor’s Office reflects the date the bills were transmitted to your office and not the date I signed the bills. It would be misleading to the public to leave this clerical error uncorrected. Please return the engrossed versions of the following bills to my office at your earliest convenience so that I may correct the signature date from April 28 to April 24:

House Bill(s) No(s). 477, 654, 714, 1134, 1173, 1386, 1432, 1433, 1441, 1446, 1469, 1483, 1488, 1503, 1505, 1516, 1578, 1579, 1588, 1595, 1596, 1613, 1633, 1637, 1697, 1732, 1733, 1772, 1869, 1877, 1925, 1943, and 2035.

Please also return the engrossed versions of the following bills to my office at your earliest convenience so that I may correct the signature date from April 28 to April 25:

House Bill(s) No(s). 2038, 2072, 2083, 2142, 2246, 2255, 2264, 2267, 2314, 2317, 2341, 2350, 2356, 2359, 2361, 2387, 2404, 2410, 2424, 2441, 2442, 2472, 2479, 2489, 2502, 2507, 2509, 2513, 2514, 2515, 2518, 2519, 2521 and 2523.

Finally, it has come to my attention that other bills filed with your office were signed and dated outside of the ten-day period and contain language making them effective upon becoming law. In order to accurately reflect the effective date of these bills, which would be ten days after transmittal to my office, I am requesting that an addendum be added to the bills indicating their actual effective dates. This document will be appended to the public chapter and published on the website of the Secretary of State, and then transmitted with the public chapter to the Code Commission for clarity of the record. The bills needing an addendum, grouped in accordance with the appropriate addendum for each group of bills based on the transmitted dates to the Governor, are as follows:

Senate Bill(s) No(s). 1426, 1466, 1628, 1673, 1741, 1813, 1856, 1966, 2040, 2240, 2309, 2398, 2420, 2423, 2489, 2570 and 2585.

The addendum should reflect that these bills were effective April 21, 2014.

Senate Bill(s) No(s). 54, 495, 1130, 1358, 1360, 1391, 1495, 1612, 1740, 1795, 1891, 1907, 1963, 2003, 2010, 2084, 2088, 2200, 2263, 2302, 2314, 2356, 2413, 2461, 2491, 2519 and 2560.

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The addendum should reflect that these bills were effective as of April 28, 2014.

House Bill(s) No(s). 702, 1398, 1496, 1546, 1640, and 2503.

The addendum should reflect that these bills were effective as of April 29, 2014.

Sincerely,

/s/ Bill Haslam
Governor

cc: Joe McCord, Chief Clerk of the House
Russell Humphrey, Chief Clerk of the Senate

**MESSAGE FROM THE GOVERNOR
(CORRECTION)
May 13, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 477, 654, 714, 1134, 1173, 1386, 1432, 1433, 1441, 1446, 1469, 1483, 1488, 1503, 1505, 1516, 1578, 1579, 1588, 1595, 1596, 1613, 1633, 1637, 1697, 1732, 1733, 1772, 1869, 1877, 1925, 1943, and 2035; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
(CORRECTION)
May 13, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 2038, 2072, 2083, 2142, 2246, 2255, 2264, 2267, 2314, 2317, 2341, 2350, 2356, 2359, 2361, 2387, 2404, 2410, 2424, 2441, 2442, 2472, 2479, 2489, 2502, 2507, 2509, 2513, 2514, 2515, 2518, 2519, 2521 and 2523; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
May 14, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 1403, 1429, 1440, 1456, 1549, 1574, 1745, 1769, 1896, 1931, 2174, 2208, 2313,

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2380, 2406, 2445, 2500, 2520, 2524, 2531, 2532, 2537, 2538, 2539, 2542, 2545, 2546, 2547, 2548, 2550, 2552, 2553 and 2555; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
May 14, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 847, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1187, 1188, 1189, 1190, 1191, 1193 and 1194; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
May 15, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 2501; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE GOVERNOR
May 16, 2014**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 2554; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**COMMUNICATION
May 21, 2014**

Rep. Sheila Butt
106 War Memorial Building
Nashville, TN 37243

Re: The Mount Vernon Assembly

Dear Rep. Butt:

I am appointing you to attend The Mount Vernon Assembly meeting in Indianapolis, Indiana on June 12th and 13th.

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I am confident that you will continue to represent Tennessee with the high standard of professionalism, dedication and integrity that the citizens deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Ron Ramsey
Scott Gilmer
Connie Ridley
Joseph A. Barnes
Tammy Letzler

**COMMUNICATION
June 18, 2014**

Ray Edward Stout
561 Doeville Road
Butler, TN 37640

Re: Doe Mountain Recreation Authority Board of Directors

Dear Mr. Stout:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, §11-25-106(a)(13), I am reappointing you to serve as a member of the Doe Mountain Recreation Authority Board of Directors. Your new term commences July 1, 2014 and will expire on June 30, 2016.

I am forwarding a copy of this letter to Secretary of State, Tre Hargett and Larry Potter, Johnson County Mayor. Secretary Hargett's office will be contacting you in the near future regarding this reappointment.

I am confident that you will continue to perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Ron Ramsey
Tre Hargett, Secretary of State

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Larry Potter, Johnson County Mayor
Cody York, 8th Floor, Snodgrass Tower
Brian McCormack, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley
Joseph A. Barns
Tammy Letzler

**COMMUNICATION
June 18, 2014**

Robert D. Bedell
Senior Director, Corporate Affairs
Coca-Cola Bottling Co. Consolidated
407 Craighead Street
Nashville, TN 37204

Re: Tennessee Solid Waste and Recycling Advisory Committee

Dear Mr. Bedell:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, §68-211-807(a)(9), I am appointing you to serve as a member of the Tennessee Solid Waste and Recycling Advisory Committee, representing the distributors of canned and bottled beverages. Your term commences immediately and will expire on February 15, 2015.

I am forwarding a copy of this letter to the Department of Environment and Conservation. Commissioner Robert J. Martineau, Jr.'s office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizen of Tennessee deserve and expect from their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Ron Ramsey
Commissioner Robert J. Martineau, Jr.
Cody York, 8th Floor, Snodgrass Tower
Brian McCormack, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley

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Joseph A. Barns
Tammy Letzler

**COMMUNICATION
June 18, 2014**

Rep. William Lamberth
22 Legislative Plaza
Nashville, TN 37243

Re: Domestic Violence State Coordinating Council

Dear Rep. Lamberth:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, §38-12-103(a)(19), I am reappointing you to serve as a member of the Domestic Violence State Coordinating Council. Your new term commences July 1, 2014 and will expire on November 4, 2014.

I am forwarding a copy of this letter to Kathy Walsh at TCADSV. Ms. Walsh's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Kathy Walsh – TCADSV
Lt. Gov. Ron Ramsey
Cody York, 8th Floor, Snodgrass Tower
Brian McCormack, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley
Joseph A. Barns
Tammy Letzler

**COMMUNICATION
June 18, 2014**

Sabra G. Hodge
211 Fisher Avenue
Carthage, TN 37030

4285

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**THURSDAY, APRIL 17, 2014 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL
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Re: Four Lake Regional Industrial Development Authority Board of Directors

Dear Mayor Hodge:

A Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, §64-5-203(a)(1)(B), I am reappointing you to serve as a member of the Four Lake Regional Industrial Development Authority Board of Directors. Your new term commences July 1, 2014 and will expire on June 30, 2016.

I am forwarding a copy of this letter to Four Lake Regional Industrial Development Authority. Their office will be contacting you in the near future regarding this reappointment.

I am confident that you will continue to perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Ron Ramsey
Four Lake Regional Industrial Development Authority
Cody York, 8th Floor, Snodgrass Tower
Brian McCormack, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley
Joseph A. Barns
Tammy Letzler
Michael Nesbitt – Smith County Mayor

**COMMUNICATION
June 18, 2014**

Rep. Kelly Keisling:
108 War Memorial Building
Nashville, TN 37243

Re: Access Tennessee Health Insurance Pool Board of Directors

Dear Rep. Keisling:

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As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, §56-7-2903(b)(8), I am reappointing you to serve as a member of the Access Tennessee Health Insurance Pool Board of Directors. Your term commences July 1, 2014 and will expire on June 30, 2017 or upon repeal of the board pursuant to §56-7-2916.

I am forwarding a copy of this letter to Commissioner Larry Martin. Commissioner Martin's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Commissioner Larry Martin – Dept. of Finance and Administration
Lt. Gov. Ron Ramsey
Cody York, 8th Floor, Snodgrass Tower
Brian McCormack, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley
Joseph A. Barns
Tammy Letzler
Ashley Reed – Health Care Finance and Administration